

**KEEPING COLLEGE WITHIN REACH: SUPPORTING
HIGHER EDUCATION OPPORTUNITIES FOR
AMERICA'S SERVICEMEMBERS AND VETERANS**

HEARING

BEFORE THE

SUBCOMMITTEE ON HIGHER EDUCATION
AND WORKFORCE TRAINING

COMMITTEE ON EDUCATION
AND THE WORKFORCE

U.S. HOUSE OF REPRESENTATIVES

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**KEEPING COLLEGE WITHIN REACH:
SUPPORTING HIGHER EDUCATION
OPPORTUNITIES FOR AMERICA'S
SERVICEMEMBERS AND VETERANS**

**Wednesday, September 11, 2013
U.S. House of Representatives
Subcommittee on Higher Education and Workforce Training
Committee on Education and the Workforce
Washington, DC**

The subcommittee met, pursuant to call, at 12:03 p.m., in Room 2175, Rayburn House Office Building, Hon. Virginia Foxx [chairwoman of the subcommittee] presiding.

Present: Representatives Foxx, Walberg, Salmon, Heck, Brooks, Hinojosa, Tierney, Yarmuth, Bonamici, Holt, and Loeb sack.

Also present: Representative Kline.

Staff present: Katherine Bathgate, Deputy Press Secretary; Heather Couri, Deputy Director of Education and Human Services Policy; Amy Raaf Jones, Education Policy Counsel and Senior Advisor; Brian Melnyk, Professional Staff Member; Krisann Pearce, General Counsel; Nicole Sizemore, Deputy Press Secretary; Emily Slack, Legislative Assistant; Alex Sollberger, Communications Director; Alissa Strawcutter, Deputy Clerk; Tylease Alli, Minority Clerk/Intern and Fellow Coordinator; Kelly Broughan, Minority Education Policy Associate; Jamie Fasteau, Minority Director of Education Policy; Melissa Greenberg, Minority Staff Assistant; Eunice Ikene, Minority Staff Assistant; Brian Levin, Minority Deputy Press Secretary/New Media Coordinator; Megan O'Reilly, Minority General Counsel; Rich Williams, Minority Education Policy Advisor; and Michael Zola, Minority Deputy Staff Director.

Chairwoman FOXX. A quorum being present, the subcommittee will come to order. Good afternoon—it is just barely afternoon—and thank you for joining us today for our hearing on higher education opportunities for veterans and servicemembers.

Before we begin, I would like to take a moment to remember the thousands of American lives that were lost on this day in 2001 and for the Americans who lost their lives during the terror attack in Benghazi last year. We will never forget them.

The men, women, and children who died will ever be in our thoughts and we will continue to pray for peace for their families. So I ask everyone to join my colleagues here for a moment of silence.

Thank you.

Mr. HINOJOSA. May I make a remark on that?

Chairwoman FOXX. You certainly may.

Mr. HINOJOSA. Thank you, Chairwoman Foxx.

As we commemorate September 11th, I join my colleagues in the House and the Senate in honoring and remembering the lives of the victims and families of this terrible tragedy. Although it has been 12 years since the events of 9/11, our nation must never forget the men, the women, and children who lost their lives on that day.

Chairwoman FOXX. Thank you.

As we pause to remember the past today, it is fitting that we also hold this hearing to explore how we can move forward by supporting the brave men and women who serve the country, and especially those who have served in the wake of 9/11.

America's veterans face unique challenges as they return to civilian life. Some struggle with disabilities and combat stress injuries as a result of their service. Many others are older than traditional college students, work full time, or have a family to support.

Beginning with the enactment of the G.I. Bill in 1944, the federal government has implemented a number of programs and initiatives to support servicemembers and veterans who wish to earn a postsecondary degree or obtain valuable job skills. This commitment to our men and women in uniform continues to grow with the Post-9/11 G.I. Bill, which provides financial support to help cover the cost of tuition, fees, books, and housing at all types of colleges and universities.

Since 2009 the Post-9/11 G.I. Bill has helped nearly 1 million veterans and their families access a postsecondary education, and as more troops return from Iraq and Afghanistan, postsecondary institutions now face the largest influx of student veterans on campus since World War II. The higher education community has a responsibility to tailor programs and coursework to ensure the needs of this unique student population are met and taxpayer resources are used wisely and efficiently.

Fortunately, many schools are rising to the challenge. A growing number of postsecondary institutions now offer more flexible course schedules, the ability for veterans to earn credit for skills learned outside the classroom, and online coursework that can be completed on a student's own time. Other institutions—proprietary schools in particular—are working with the business community to craft targeted programs that help veterans learn the skills necessary to compete for in-demand jobs in the local economy.

In my home state, University of North Carolina's Partnership for National Security not only coordinates with state business leaders but also works directly with military partners to develop a number of initiatives geared toward supporting our men and women in uniform, including special degree programs, pre-deployment education courses, internships, and fellowships.

Additionally, the UNC SERVES program collects data to provide university leaders with a better understanding of the needs and outcomes of the active duty and veteran student population. This information will help prospective students make more informed decisions about their postsecondary pathway and it will also encour-

age institutions to establish special outreach efforts such as student groups, orientation events, and counseling offices that help veterans successfully transition into academic life.

With the Higher Education Act due for reauthorization next year, today's hearing provides a valuable opportunity to highlight institutional efforts to support veterans and servicemembers while also exploring potential policy changes that could strengthen the law. We have an excellent panel of witnesses with us today, and I look forward to their testimony.

I now recognize my colleague, Mr. Ruben Hinojosa, the senior Democrat member of this subcommittee, for his opening remarks. [The statement of Chairwoman Foxx follows:]

**Prepared Statement of Hon. Virginia Foxx, Chairwoman,
Subcommittee on Higher Education and Workforce Training**

Good afternoon, and thank you for joining us today for our hearing on higher education opportunities for veterans and servicemembers.

Before we begin, I would like to take a moment to remember the thousands of American lives that were lost on this day in 2001, and for the Americans who lost their lives during the terror attack in Benghazi last year. We will never forget them. The men, women, and children who died will ever be in our thoughts, and we will continue to pray for peace for their families. I ask my colleagues to join me for a moment of silence.

Thank you. As we pause to remember the past today, it is fitting that we also hold this hearing to explore how we can move forward by supporting the brave men and women who have served our country in the wake of 9/11. America's veterans face unique challenges as they return to civilian life. Some struggle with disabilities and combat stress injuries as a result of their service. Many others are older than traditional college students, work full time, or have a family to support.

Beginning with the enactment of the GI bill in 1944, the federal government has implemented a number of programs and initiatives to support servicemembers and veterans who wish to earn a postsecondary degree or obtain valuable job skills. This commitment to our men and women in uniform continues to grow with the Post-9/11 GI Bill, which provides financial support to help cover the cost of tuition, fees, books, and housing at all types of colleges and universities.

Since 2009, the Post-9/11 GI Bill has helped nearly one million veterans and their families access a postsecondary education. And as more troops return from Iraq and Afghanistan, postsecondary institutions now face the largest influx of student veterans on campus since World War II.

The higher education community has a responsibility to tailor programs and coursework to ensure the needs of this unique student population are met and taxpayer resources are used wisely and efficiently. Fortunately, many schools are rising to the challenge.

A growing number of postsecondary institutions now offer more flexible course schedules, the ability for veterans to earn credit for skills learned outside the classroom, and online coursework that can be completed on a student's own time. Other institutions, proprietary schools in particular, are working with the business community to craft targeted programs that help veterans learn the skills necessary to compete for in-demand jobs in their local economy.

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strengthen the law. We have an excellent panel of witnesses with us today, and I look forward to their testimony. I would now like to recognize my colleague, Mr. Rubén Hinojosa, the senior Democrat member of the subcommittee, for his opening remarks.

Mr. HINOJOSA. Thank you, Chairwoman Foxx.

I view today's hearing as an opportunity to discuss how institutions and higher education systems are responding to the unique needs and services of our veterans. With this in mind, I welcome our distinguished group of panelists for joining us for this widely important discussion.

As ranking member of this subcommittee, I am pleased that an increasing number of veterans are enrolling in college. In my view, Congress has a responsibility to support the more than 2 million soldiers who are returning from the wars of Iraq and Afghanistan. Our nation must help them transition to civilian life.

Unfortunately, some for-profit companies and lenders are preying on servicemembers and veterans to cash in on their G.I. benefits. Veterans are especially attractive to for-profit colleges because G.I. Bill benefits are not Title IV funds and, therefore, allow institutions almost entirely relying on Title IV funds to meet the 90/10 requirements—90-slash-10 requirements.

In fact, Holly Petraeus, of the Consumer Financial Protection Bureau, has accused certain for-profit colleges of viewing veterans as nothing more than dollar signs in uniform. In 2011 for-profit colleges collected 1 of every 2 dollars in the military assistance program. For-profit colleges enroll 13 percent of all students receiving Title IV aid but account for almost half of all federal loan defaults.

It is also worth noting that national veterans organizations, including the American Legion, are concerned that some for-profit colleges utilize federal education aid to pay for recruiting and for marketing. The American Legion has correctly pointed out that the core educational programs suffer when a disproportionate percentage of tuition is used towards marketing expenses.

While my colleagues on the other side of the aisle may insist that federal regulations are burdensome and that they discourage innovation, I strongly believe that Congress must have federal regulations in place to protect veterans and servicemembers from unscrupulous companies and institutions and lenders. We owe veterans and servicemembers nothing less.

And while I applaud President Obama for issuing an executive order establishing principles of excellence for educational institutions serving our servicemembers, veterans, spouses, and other family members, Congress and the administration, in my opinion, must do more to ensure that these principles are enforced and that servicemembers and veterans are well served by these federal benefits and programs.

A critically important issue that some of our panelists will address today is the issue of credentialing of veteran experience. As you know, there are national organizations such as the American Council on Education, known as ACE, and state collaboratives that help institutions translate military experience into credit hours.

With more than 2 million servicemembers returning from combat, colleges can do more to award credit hours for their past serv-

ice experience. Improved articulation agreements can also help servicemembers transfer credits from community colleges to 2-year colleges with more ease.

In closing, I want to recognize the veterans and servicemembers in my congressional districts—veterans like Harry Brunell, who served in World War II, who served in Korea, and he also served in Vietnam. I want to thank them for their courage and dedication to the nation.

At this time I would like to enter into the record a copy of Hollister K. Petraeus' recent testimony before the U.S. Senate Committee on Veterans Affairs on July 31, 2013.

[The information follows:]

**Prepared Statement of Hollister K. Petraeus, Assistant Director,
Consumer Financial Protection Bureau Office of Servicemember Affairs**

Before the U.S. Senate Committee on Veterans' Affairs, July 31, 2013

Chairman Sanders, Ranking Member Burr, and distinguished Members of the Committee, thank you for the opportunity to speak with you today about the Office of Servicemember Affairs at the Consumer Financial Protection Bureau (Bureau).

Many of you already know me as I've testified before you on other committees, and I've also had the opportunity to visit with some of you in your home states. But for those of you who are not familiar with my office, I'd like to take a few moments to tell you what we do.

As defined in the Dodd-Frank Act, the Office of Servicemember Affairs at the Bureau is responsible for:

- Developing and implementing initiatives to educate and empower servicemembers and their families to make better-informed decisions regarding consumer financial products and services;
- Monitoring military complaints about consumer financial products and services, including the Bureau and other federal or state agency responses to those complaints; and
- Coordinating the efforts of Federal and State agencies regarding consumer protection measures relating to consumer financial products and services offered to, or used by, servicemembers and their families.

Concerning our education mission, in an effort that I think would be of interest to this committee, my team worked with the Department of Defense (DoD) to create a financial module to be included in the recently revised Transition Assistance Program for those departing the military.

And, in a logical follow-on, this year we're working on an initiative to offer financial coaching services to recently-transitioned veterans, to ensure they have some professional financial-planning support during the economically vulnerable time after they leave the service.

As for our complaint monitoring, from July 21, 2011 through July 6, 2013, the Bureau received approximately 4,516 complaints from veterans and their family members. The complaint volume from veterans has steadily increased over time, with 262 complaints received in 2011, 2,315 in 2012, and 1,939 complaints in the first six months of 2013. About 49 percent of the complaints from veterans have been mortgage complaints, followed by 18 percent credit card complaints, and 13 percent bank account or service complaints. We only started accepting complaints about credit-reporting companies in October 2012, but credit reporting is already the 4th highest complaint category for veterans at 8 percent, and is trending upward.

We have helped veterans who filed complaints secure hundreds of thousands of dollars in monetary relief. We've also assisted many others to obtain non-monetary relief, for example having errors on a credit report corrected, which helps them resolve problems that may have been affecting them for months or even years.

But these complaint statistics aren't just numbers to us: they represent military and veteran families and we know the impact consumer financial issues can have on their quality of life. In one complaint, a veteran from North Carolina was struggling with his bank for months over a fee of nearly 2,000 that should have been waived because he was disabled. Within weeks of his filing a complaint with the Bureau, the bank removed the fee and refunded the veteran for the interest that was charged in error. Although we can't promise specific results, I encourage servicemembers, veterans, retirees, and military spouses to go to consumerfinance.gov and file a complaint if they are having problems with a mort-

gage, credit card, student loan, or other consumer financial product. And I think it's fair to say that our Consumer Response team is making a real difference for many veterans and their families.

As to my office's third mission—coordinating with other federal and state agencies—I have spent a significant amount of time doing just that. Our Office of Servicemember Affairs has worked with federal agencies such as the Department of the Treasury and the Federal Housing Finance Agency on mortgage issues, with the Department of Justice (DOJ) on Servicemembers Civil Relief Act issues, and with the Department of Veterans Affairs (VA) concerning veterans' issues. And obviously, my staff and I talk all the time with DoD.

In the states, I've had great support from the Attorneys General, with 16 of them personally joining me at events in military communities. In fact, on July 1st I was at MacDill Air Force Base in Florida at the invitation of Attorney General Pam Bondi to watch Governor Scott sign a bill to provide enhanced penalties for those who use deceptive or unfair trade practices in their dealings with servicemembers, veterans, and their families.

I've also had a very good relationship with the state directors of Veterans Affairs, meeting with almost a dozen of them in their home states as well as addressing their national conference in May. And I work with the veterans' service organizations (VSOs), as well. I've done presentations to the Iraq and Afghanistan Veterans of America, the Vietnam Veterans of America, and the American Legion. We have also had a couple of town halls specifically for VSOs and intend to do more.

Speaking of town halls, I participated in a telephone town hall last year with Senator Manchin and Senator Rockefeller that reached thousands of veterans in the state of West Virginia, and I am eager to engage with veterans through initiatives such as these whenever I have the opportunity to do so. I should add that I have just added a veterans' outreach specialist to my staff so we can do more work on consumer protections and financial education for veterans.

Now, let me talk specifically about the issues that have come up during my travels to 28 states and about 60 military communities, where I have heard directly in the past two years from servicemembers, veterans, military retirees, and their families.

One issue that has been raised consistently throughout my travels is concern over aggressive marketing to military personnel, veterans, and their families by certain institutions of higher education seeking to attract individuals with access to GI Bill benefits. These institutions are pushing not only their educational programs, but also, in many cases, expensive private student loans to pay for the amount of tuition and fees not covered by the GI Bill.

There is an extra incentive for for-profit colleges, in particular, to chase after military students because of the 90-10 proprietary college federal funding cap—a requirement that for-profit colleges get at least 10 percent of their revenue from sources other than Title IV federal education funds administered by the Department of Education (ED). Military GI Bill and Tuition Assistance benefits are not Title IV funds, so they fall into the 10 percent category that these colleges need to fill—and we have heard of some very aggressive tactics to put GI Bill recipients into classes.

For example, a year ago when I was out in Nevada with Attorney General Catherine Cortez Masto, I spoke with a woman from the VA Regional Office there who was overseeing vocational rehabilitation for veterans. She told me that she had patients with traumatic brain injury (TBI) and post-traumatic stress disorder (PTSD) who had been persuaded to sign up for college classes, and didn't even remember doing so. That didn't stop the colleges from pressing them for full payment, even though they were not regularly attending classes. She said that some schools were also pushing her patients to enroll in master's degree programs even though she believed they were not capable of doing the work at that time. Their tactics were aggressive enough that she described it as "tormenting veterans." Obviously it distressed her to see her patients pressed to spend their GI Bill benefits in this manner.

On the same topic, in April 2012 I went to Fort Stewart, Georgia to watch the President sign an Executive Order 13607, "Establishing Principles of Excellence for Educational Institutions Serving Service Members, Veterans, Spouses, and Other Family Members." The order directed the Departments of Defense, Veterans Affairs, and Education, in consultation with the Bureau and the attorney general, to take steps to enable servicemembers, veterans and their families to get the information they need about the schools where they spend their education benefits. The order also strengthened oversight and accountability within the federal military and veterans' educational benefits programs.

I am pleased to report that there has been real progress since then, with DoD, ED, VA, DOJ, the Federal Trade Commission, and the Bureau working together to

better protect and inform servicemembers, veterans, and military families about their education benefits. For example:

- The term “GI Bill” has now been trademarked by the VA;
- DoD has updated their rules to protect against aggressive commercial solicitation on military installations by educational institutions; and
- ED has finalized the “Know Before You Owe Financial Aid Shopping Sheet,” enabling veterans to make better-informed decisions about paying for college and choosing a school.

The state attorneys general have been active, too, filing suit against certain colleges for deceptive marketing and aggressive recruiting tactics. And 19 of them joined Kentucky Attorney General Jack Conway in filing suit against a company called Quin Street that had a number of lead-generation websites marketing to GI Bill recipients. In addition to paying a monetary settlement and changing misleading content on their sites, Quin Street agreed as part of the settlement to give the URL www.gibill.com to the VA.

Certainly there is more work to be done, but I believe these and subsequent steps will help protect against some of the most egregious abuses we’ve seen in the past. That said, we intend to keep working with groups from the above agencies to see that the order is implemented in a way that best serves our military and veterans.

Another area of concern that has arisen fairly frequently, both on my trips and via our complaint system, is that of financial institutions failing to provide Servicemembers Civil Relief Act (SCRA) protections to those who qualify for them. DOJ has explicit enforcement authority under SCRA, so we coordinate frequently with the DOJ Civil Rights Division and DoD concerning the SCRA-related components of the military complaints that we receive. In fact, my first testimony before Congress in this job was in February 2011 before the House Committee on Veterans’ Affairs and the subject of the hearing was the failure of the largest banks to provide SCRA entitlements to their military customers—both the interest-rate reduction to six percent and foreclosure protection. I also had the opportunity to take part in a panel hosted by Senator Rockefeller and Congressman Elijah Cummings discussing the impact on military readiness when SCRA protections are violated.

Since then the state AGs, the Department of Housing and Urban Development (HUD) and DOJ have aggressively pursued this issue, resulting in a national mortgage settlement with the five largest mortgage lenders that was in part spurred by the lenders’ failure to comply with the provisions of the SCRA. While I commend the settlement and their continued vigilance, we do continue to see compliance concerns in the complaints that military/veteran consumers file with the Bureau.

SCRA compliance problems are not limited to mortgage servicing; we’ve now identified other markets with similar problems. Most notably, in the student-loan servicing market, we’ve heard of lenders giving out incorrect or misleading information or even refusing to grant SCRA protections. Some examples:

- Servicemembers being told (incorrectly) that they must provide a letter from their commanding officer or “certified” orders in order to receive the interest-rate reduction to six percent;
- Officers being told to provide orders with an end date in order to receive the interest-rate reduction (officers’ orders usually don’t have end dates—they are indefinite);
- The lender terminating the interest-rate reduction at the end of one year because the servicemember does not provide proof of continuing active-duty service (proof that is not required under the SCRA);
- The lender placing the servicemember in forbearance automatically when SCRA rights are invoked, rather than simply providing the requested interest-rate reduction; and
- The lender failing to comply with a servicemember’s request that the lender refund all the interest charged above 6 percent from the point of entry into active-duty military service. As long as the servicemember requests this SCRA protection within 180 days of leaving active duty, the lender must comply and issue a refund, no matter how long has passed since the servicemember entered active duty, even if it’s been months or years.

We put out a report on this topic with the Bureau’s student loan ombudsman, along with an action guide for servicemembers. In the report we also raised concerns about an issue that arises when servicemembers attempt to replace older, pre-service student loans with a new direct consolidation loan (to take advantage of federal student loan repayment options such as Income-Based Repayment or Public Service Loan Forgiveness). Unfortunately, the law as currently written does not convey the “pre-service obligation” status of the old loans to the new direct loan, which has the unfortunate result of forcing some servicemembers to choose between the SCRA protection of a lower interest rate on their old loans or the prospect of in-

come-based repayment and eventual loan forgiveness with a consolidated Direct Loan.

And although it is not an SCRA issue, while we're on the topic of student loans I wanted to raise a concern about veterans with private student loan debt who have been very severely injured during combat or at any time during their military service. It's a sad fact that some veterans with the most severe disabilities will never be capable of obtaining or performing a job that will enable them to repay that private student loan debt. However, as the law now stands, it is very difficult for them to discharge those debts despite the reality of their medical condition. It seems a shame that federal student loans have such a provision for those with 100 percent disability, but there is currently no such relief for those who have private student loans.

Another issue that I have heard about frequently on my trips throughout the U.S. concerns abuses connected with the veterans' benefit known as Aid and Attendance, which I know this group is familiar with. I have heard from a number of State Veterans Affairs directors, starting with my trip to Montana at the invitation of Senator Tester in January 2012, that they are concerned about the increasing number of individuals and companies that use Aid and Attendance as a hook to sell their services to elderly veterans. I'd like to note a recent settlement by the Attorney General of Washington with three financial planning companies that were doing just that. These companies were offering help with obtaining Aid and Attendance but were requiring their customers to sign up for financial services first,—and then moving the veterans' assets into irrevocable trusts but not fully informing the veterans of the risks of doing so.

Aid and Attendance offers can take a variety of forms:

- It may be an offer from a lawyer or "veterans' advisor" to get the Aid and Attendance benefit for you—for a fee. In reality claims processing should be free, but in some cases veterans are being charged a "consultation fee" before the claim paperwork is begun.
- It may be a claim from a paid advisor that they can get the benefit for you more quickly than anyone else. But all VA benefits claims have to go through the standard VA evaluation process, and no one can bypass the system to get your claim approved faster than usual.
- It may involve offering to help you qualify for Aid and Attendance, if you have too much money, by taking control of your assets and moving them into a trust where you can't access them, as in the case in Washington State. This, in turn, may disqualify you for other assistance such as Medicaid, and it also means that you can't get at your money. In one outrageous example I was told about an advisor who locked one veteran's money into an annuity that wouldn't start paying out until he was well into his nineties!
- Also, some retirement homes are now using the lure of Aid and Attendance to get veterans to move in on the premise that they will get Aid and Attendance and it will pay for everything. In cases where the claim is denied after the veteran has already spent money to move in, this leaves the veteran in the untenable position of being unable to afford to remain in the facility.

We have also seen a flood of advertising in the past year urging those with VA home loans to refinance their homes. Veterans on my staff and elsewhere at the Bureau have received a torrent of these offers in the mail. We were concerned enough that the Bureau and the FTC did a joint sweep of the mortgage ads which resulted in letters to a number of lenders concerning potential violations of the Mortgage Acts and Practices—Advertising (MAP) Rule, with the potential for future enforcement actions by the Bureau and FTC.

On a related note, I commend the FTC for its first enforcement action under the MAP Rule, announced June 27th, in which Mortgage Investors Corporation, a large refinance of veterans' home loans, must pay a \$7.5 million penalty for allegedly calling consumers on the Federal Trade Commission's National Do Not Call list, failing to remove consumers from its company call list upon demand, and misstating the terms of available loan products during telemarketing calls.

One last area of concern is pension advances—offers to pay military retirees a lump-sum payout in return for their monthly retirement payments. These offers usually amount to pennies on the dollar, and may be in violation of the law regarding assignment of pension benefits, even though they are disguised as loans. If you go on the internet you will find them—often with patriotic-sounding names and the American flags on the website to match, but with a high cost for the retiree who takes them up on the offer.

The Bureau has an Office of Financial Protection for Older Americans and my office is working with them on these issues. They have recently reported to Congress on the wide array of "elder financial advisor" designations that are in use and

spotlighted the fact that many of them are not based on any sort of academic rigor or significant training—but may sound official to elderly consumers.

To conclude, the Office of Servicemember Affairs is working hard to fulfill its mission to work on consumer financial education and consumer-protection measures for military personnel and their families, and we certainly want to include retirees and veterans in that number. We will press on to work with you and the states on existing problems and also address new issues as they arise. Our veterans and their families have done extraordinary service for our country, and, in return, it's an honor for me and my staff to serve them through our work at the Office of Servicemember Affairs.

Thank you for the opportunity to testify before the Committee.

Chairwoman FOXX. Without objection.

Mr. HINOJOSA. And I thank you. I yield back.

[The statement of Mr. Hinojosa follows:]

**Prepared Statement of Hon. Rubén Hinojosa, Ranking Member,
Subcommittee on Higher Education and Workforce Training**

Thank you, Chairwoman Foxx.

As we commemorate September 11th, I join my colleagues in the House and Senate in honoring and remembering the lives of the victims and families of this terrible tragedy. Although it has been twelve years since the events of 9/11, our nation must never forget the men, women, and children who lost their lives on that day.

Chairwoman Foxx, I view today's hearing as an opportunity to discuss how institutions and higher education systems are responding to the unique needs and services of veterans. With this in mind, I welcome our distinguished group of panelists for joining us for this vitally important discussion.

As Ranking Member of this subcommittee, I am pleased that an increasing number of veterans are enrolling in college. In my view, Congress has a responsibility to support the more than two million soldiers who are returning from the wars of Iraq and Afghanistan. Our nation must help them transition to civilian life.

Unfortunately, some for-profit companies and lenders are preying on service members and veterans to cash in on their GI benefits. Veterans are especially attractive to for-profit colleges because GI Bill benefits are not Title IV funds, and, therefore, not affected by the 90/10 rule. In fact, Holly Petraeus of the Consumer Financial Protection Bureau (CFPB) has accused certain for-profit colleges of viewing veterans as nothing more than "dollar signs in uniform." In 2011, for-profit colleges collected one of every two dollars in the Military Assistance program.

For-profit colleges enroll 13 percent of all students receiving Title IV aid but account for almost half of all federal loan defaults. It is also worth noting that national veteran organizations, including the American Legion, are concerned that some for-profit colleges utilize federal education aid to pay for recruiting and marketing. The American Legion has correctly pointed out that core educational programs suffer when a disproportionate percentage of tuition is used toward marketing expenses.

While my colleagues on the other side of the aisle may insist that federal regulations are burdensome and discourage innovation, I strongly believe that Congress must have federal regulations in place to protect veterans and service members from unscrupulous companies, institutions, and lenders. We owe veterans and service members nothing less.

And while I applaud President Obama for issuing an executive order establishing principles of excellence for educational institutions serving service members, Veterans, Spouses, and other family members, Congress and the Administration must do more to ensure that these principles are enforced and that service members and veterans are well-served by these federal benefits and programs.

A critically important issue that some of our panelists will address today is the issue of credentialing of veteran experience. As you know, there are national organizations such as the American Council on Education (ACE) and collaboratives that help institutions translate military experience into credit. With more than two million service members returning from combat, colleges can do more to award credit hours for their past service experience.

Improved articulation agreements can also help service members transfer credits from community colleges to two year colleges with more ease.

In closing, I want to recognize the veterans and service members in my congressional district—veterans like Harry Brunelle who served in WWII, Korea and Vietnam—for their courage and dedication to the nation.

At this time, I would like to enter into the record a copy of Hollister K. Petraeus's testimony before the U.S. Senate Committee on Veterans' Affairs on July 31, 2013. Thank you.

Chairwoman FOXX. Thank you, Mr. Hinojosa.

Pursuant to committee rule 7(c), all subcommittee members will be permitted to submit written statements to be included in the permanent hearing record, and without objection the hearing record will remain open for 14 days to allow statements, questions for the records, and other extraneous material referenced during the hearing to be submitted in the official hearing record.

It is now my pleasure to introduce our distinguished panel of witnesses.

Mrs. Kimrey Rhinehardt is the vice president for federal and military affairs at the University of North Carolina, where she serves as the primary liaison between the university and the university's 17 campuses and the federal government. Dr. Arthur Kirk is the president of Saint Leo University in Saint Leo, Florida, where he has served since he was appointed to the position in 1997.

Dr. Russell Kitchner serves as vice president for regulatory and governmental relations for the American Public University System. Dr. Ken Sauer has been with the Indiana Commission for Higher Education since 1985, currently holds the position of senior associate commissioner for research and academic affairs.

Before I recognize you to provide your testimony individually, let me briefly explain our lighting system.

You will have 5 minutes to present your testimony. When you begin, the light in front of you will turn green; when 1 minute is left, the light will turn yellow; when your time is expired, the light will turn red. At that point I ask that you wrap up your remarks as best as you are able.

After you have testified, members will each have 5 minutes to ask questions of the panel.

I now recognize Mrs. Kimrey Rhinehardt for 5 minutes.

And, Kimrey, wait one second—and Kimrey has her daughter, Tyler, with her today, and she is getting a lesson in good representative government. And we are glad to have Tyler with us here today.

Kimrey?

**STATEMENT OF KIMREY W. RHINEHARDT, VICE PRESIDENT
FOR FEDERAL MILITARY AFFAIRS, THE UNIVERSITY OF
NORTH CAROLINA**

Mrs. RHINEHARDT. Madam Chair, thank you. You know well that North Carolina is a proud state. We are proud that Revolutionary War patriots fought for and established the University of North Carolina, the nation's first public university.

Today the University of North Carolina is a multi-campus university. We have 220,000 students, 55,000 faculty and staff, and our budget is approximately \$9 billion.

North Carolina is also proud of our military family, and it is a very large military family: 11 percent of North Carolinians are in some way directly connected to the military. My father proudly

served as a citizen soldier for 29 years. My sister, two uncles, an aunt, my grandparents—including my grandmother—all served this nation in uniform.

Our state's military family includes those who have served, are serving, and will serve in the future.

This culture of prideful acceptance and support of the military is a North Carolina core value. After the Post-9/11 G.I. Bill became law in 2008, UNC institutions experienced a surge in applications from military students. The surge continues.

In 2010, Congress again changed the Post-9/11 G.I. Bill. In parallel, the Department of Defense asked institutions participating in a tuition assistance program to sign new MOUs in 2011 and then again in 2012. We are working on our third MOU as we speak.

Concurrent to these changes, President Obama issued an executive order establishing principles of excellence. Shortly thereafter, the V.A. asked institutions of higher education to commit to certain principles of excellence consistent with the president's executive order.

To be clear, we agree with the spirit of and the intent behind these requirements. But honestly, we are ahead of the curve.

In October 2010, a UNC system working group of faculty, staff, and students was appointed to take a closer look at how well we serve these students. The working group known as UNC SERVES, as Dr. Foxx referenced, established the baseline for where we were and where we wanted to go.

President Ross and the 16 chancellors are implementing UNC SERVES. The university's governing board is equally engaged. They established a special committee to focus on military affairs and approved a military student success policy that applies system-wide.

Under this new policy, the university considers a student having completed at least 2 years of active duty service a transfer student. We are also collecting better data so that we may identify and track the academic progress of these students—specifically their retention and graduation rates and length of time to degree.

Veterans are not your typical students. They come to us from a highly structured bureaucratic environment and become frustrated with the loosely structured bureaucratic environment of the university.

One of our top priorities is to centralize information-sharing by using technology. The university system has a website that serves as the virtual front door for all military.

Another resource and development is the North Carolina Military Educational Positioning System. This website, a partnership with the Aurora Foundation, is designed to help veterans explore their educational options, navigate to their college of choice, and then graduate and transition into the workforce.

For active duty servicemembers, the university has academic advisors at Fort Bragg, Camp Lejeune. We work with the community colleges to create specialized programs just for this service—just for the servicemember.

At President Ross' direction, I lead and manage the system-wide UNC Partnership for National Security, an initiative that coordi-

nates all of our efforts with the military across the system. The one-stop shop approach works very well.

At UNC we care deeply about the whole soldier. We care about providing them with access to a high quality, affordable education. We care about the families that they leave behind when they deploy. We care about the equipment that they carry down range.

We care about providing them with a sharp civilian workforce to support their mission. And when they decide to retire or separate from service, we care about getting them a good paying job in North Carolina.

We commit ourselves to the UNC Partnership for National Security because of that deeply embedded prideful acceptance and support that I referenced earlier. A servicemember's education is critical because the most important weapon that they have is their mind.

The equipment they need must be the most advanced technology imaginable because they need to execute their mission and return home safely. And when the servicemember makes the transition to veteran in the civilian world, we want that veteran to remain in North Carolina for the long term.

Finally, the University of North Carolina system commits itself to partnering with the military because national security should be a priority for us all, not just for the less than half of one percent of us that serve in the armed forces. We can all do something to contribute.

The faculty, staff, and students of the University of North Carolina stand ready to do our part, Madam Chair. Thank you, and this concludes my testimony.

[The statement of Mrs. Rhinehardt follows:]

House Committee on Education and the Workforce
Subcommittee on Higher Education and the Workforce
September 11, 2013

"Keeping College Within Reach: Supporting Higher Education Opportunities for America's Servicemembers and Veterans"

Witness: Kimrey Rhinehardt, The University of North Carolina

Madam Chair, Ranking Member Hinojosa, and distinguished members of this panel, on behalf of the great State of North Carolina, I thank you for this opportunity to come before this Subcommittee.

My testimony today will:

1. Convey general information about North Carolina and its military family and how the University of North Carolina as a system of higher learning is working hard to support these friends and neighbors;
2. Share why North Carolina and the University of North Carolina system are uniquely positioned to deliver what these students need to successfully complete their studies;
3. Articulate specific action steps taken by the University of North Carolina system to be a relevant partner in the pursuit of specific goals; and
4. Share how the University of North Carolina system provides veterans, active duty service members and their families with a "one-stop-shop" for information.

Madam Chair, you know well that North Carolina is a proud state. We are proud of our legacy of "firsts" and are not afraid to tell you about them. Revolutionary War patriots fought for and established the University of North Carolina, the nation's first public university. In fact, these patriots insisted that North Carolina's constitution include a guarantee to its citizens that *"All useful learning shall be duly encouraged and promoted in one or more universities."*

Over two centuries, the University has evolved into one of the strongest and most successful systems of public higher education in the nation. It remains today, as Governor Zebulon B. Vance described in 1866, "the pride and chiefest ornament of North Carolina." To give you a better sense for who we are, the University of North Carolina is a multi-campus university composed of all 16 of North Carolina's public institutions that grant baccalaureate degrees, as well as the NC School of Science and Mathematics, the nation's first public residential high school for gifted students. The University has 220,000 students, 55,000 faculty and staff and an operating budget of roughly \$9 Billion. We are proud of our University and the role that it plays in every North Carolina community.

North Carolina is also proud of our military family. And, it is a big military family. We are home to Fort Bragg, the nation's largest Army post. Fort Bragg is home to the 18th Airborne Corps, United States Army Special Operations Command, Joint Special

Operations Command, United States Army Forces Command and the United States Army Reserve Command. Aboard Marine Corps Base Camp Lejeune we host the Second Marine Expeditionary Force and the Marine Corps Forces Special Operations Command. Other service members are stationed at Cherry Point, New River, Seymour Johnson Air Force Base, Coast Guard Station Elizabeth City and the North Carolina National Guard. North Carolina is home to 106,461 Active Duty service members and their 144,718 spouses and children. Our National Guard and Reserve population is 24,093. According to the Veterans Administration, 771,654 Veterans call North Carolina home. Approximately 11% of North Carolinians are, like me, in some way directly connected to the military and are proud of their current and past family members' service.

My father proudly served as a citizen-soldier for 29 years. My sister, two uncles, an aunt, my grandparents – including my grandmother all served this great nation in uniform. I can trace my family's record of military service to the pre-Revolutionary war period. Our state's military family includes those who have served, are serving and will serve in the future. This culture of "prideful acceptance and support" of the military is a North Carolina core value. And, it is as embedded in our culture as deeply as our love of NASCAR, barbecue and college basketball.

So, it is likely not a surprise to you that North Carolina's public university system is working hard to enroll, educate and graduate as many academically prepared service members, veterans and their family members as we possibly can. I should also mention that the University works collaboratively with the North Carolina Community College System to ensure that we offer seamless transferability and credit articulation.

After the Post 9/11 GI Bill became law in 2008, UNC institutions experienced a surge in admission applications from military-affiliated students for the 2009-2010 academic year. The surge continues. New programs like the VA's Yellow Ribbon program emerged. Military-affiliated students were confused about how their Montgomery GI Bill and the new GI Bill worked together. In 2010, Congress made changes to the Post 9/11 GI Bill. And then, in parallel, the Department of Defense (DOD) asked institutions participating in the "Voluntary Education Partnership" to sign new Memoranda of Agreement in March 2011 and then again in December 2012 as a condition of permitting active duty military to use Tuition Assistance funds to pay for their higher education on campus. As you know, the DOD recently submitted its third version of the MOU for public comment in August 2013.

Concurrent to these changes and requirements, President Obama issued Executive Order 13607 "Establishing Principles of Excellence for Educational Institutions Serving Service Members, Veterans, Spouses, and Other Family Members" in April 2012. Subsequent to this Executive Order, in May 2012, the Department of Veterans Affairs asked for institutions of higher education to commit to certain "Principles of Excellence" as contained in the President's Executive Order by August 1, 2012. To be clear, the University of North Carolina system agrees with the spirit of the intent behind each requirement, but after time-consuming internal review of each of these requirements we concluded that each constituent institution of the University of North Carolina not only met the standard outlined

in the Executive Order but exceeded it. And, such is the case because the University of North Carolina constituent institutions self-imposed our own standard of excellence long before the federal government required us to do so.

In October 2010, then University-system President Erskine Bowles responded to campus requests to convene a working group to evaluate and recommend specific action steps for improving how the University system and its individual institutions serve veterans and their families. The working group convened and was named "UNC SERVES (UNC Systemwide Evaluation and Recommendation for Veterans Education and Services). Four questions were presented to the UNC SERVES working group of student, faculty and administration representatives from the sixteen campuses:

- How are UNC campuses currently serving active service members, veterans and their families?
- What are the accepted best practices for serving these students?
- What can the University reasonably do to improve access to, retention and graduation of active-duty and veteran students?
- What are metrics of success for the University in serving these students?

The UNC SERVES working group was charged by President Bowles with developing a comprehensive report with recommendations to him that provided an:

- Evaluation of current state of military and veteran affairs on UNC campuses;
- Institutional, systemwide, and state/federal statutory policy changes, regulations and/or guidelines to improve access, retention and the graduation of active service members, veterans and their families on UNC campuses;
- Institutional and systemwide best practices to improve access, retention and the graduation of active service members, veterans, and their families on UNC campuses; and
- Opportunities for institutional and systemwide improvement.

The UNC SERVES Working Group was asked to consider the following factors in their work:

- Diversity of campuses, including size, capacity, and number of active service members, veterans, and their families;
- Constrained resources – Consider all options but prioritize no cost, low cost recommendations;
- Return on investment; and
- Costs should accompany each recommendation, if possible.

The UNC SERVES working group issued its report to the University's new President, Tom Ross in April 2011. The report included recommendations for improvement at the University system and individual campus levels. President Ross and the campuses embraced the recommendations and the UNC system Faculty Assembly passed a resolution of support for UNC SERVES. I am proud to share that the University is making

great strides toward implementing almost all of the recommendations. As a follow up to the UNC SERVES working group report, the University system now issues an annual "UNC SERVES Resource Guide" that demonstrates systemwide and campus progress with each of the action items. Within the Resource Guide we publish what we call "the matrix" of campus-by-campus progress with each UNC SERVES recommendation. The most "up to date" matrix is attached to this document as an addendum. The Resource Guide also includes examples of specific campus initiatives like the North Carolina Central University Veterans Law Clinic and the Fayetteville State University Veterans Business Outreach Center. The UNC SERVES working group report and Resource Guides may be reviewed online at:

<http://www.northcarolina.edu/frc/uncserves/serves.html>

University of North Carolina system President Tom Ross, believes that serving these students requires leadership from the top. President Ross and the sixteen Chancellors are aggressively implementing the recommendations of UNC SERVES. UNC Campuses have established Military Affairs Committees at the institutional level and the UNC system convenes the University's Military Affairs Council, to improve coordination of effort.

The University's Board of Governors is equally engaged, having recently established a Special Committee of the Board to focus on military affairs. Further, in June 2013, the Board approved a "Military Student Success" policy to provide a systemwide framework for a comprehensive network of services for military-affiliated students seeking to meet their educational goals.

President Ross is in the process of establishing internal University regulations to implement the requirements of the Board's policy and to promote the general welfare of service members, veterans, spouses, and dependent family members at the constituent institutions. Under this new policy the University considers any individual having completed a minimum of two years of cumulative active duty service in the United States Armed Forces a transfer student in the admissions process. The service branch serves as the transfer institution of record. Further, the University system is establishing systemwide uniform data collection procedures to enable the constituent institutions to identify and track the academic progress of service members, veterans, spouses, and dependent family members for the purposes of evaluating and reporting retention, graduation and the length of time to degree. A copy of the UNC Board of Governor's policy is attached to my testimony as an addendum.

These recent actions by the UNC Board of Governors and the President of the University occurred because the UNC campuses asked for assistance and support. Individual campuses have a long history of working with military-affiliated students and the military installations in North Carolina. A select few campuses like Fayetteville State University, the University of North Carolina Wilmington, the University of North Carolina at Pembroke and East Carolina University have actually had a physical presence on post at Fort Bragg, aboard Marine Corps Base Camp Lejeune or at Seymour Johnson Air Force Base. The

campus' geographic proximity coupled with their regional focus naturally aligned with serving these specific communities. Other campuses in the University have specialized programs of interest to the active duty military population like North Carolina State's Bachelor of Arts in Leadership in the Public Sector or UNC Chapel Hill's Master of Arts in Military History. Additionally, several of our campuses work with the military commands to provide professional military education. In some cases these course are directly connected to pre- or post-deployment requirements.

The UNC SERVES working group recommended and Presidents Bowles and Ross implemented the recommendation for UNC General Administration to lead the University in a coordinated effort to serve the military. At President Ross' direction, I lead and manage the systemwide "UNC Partnership for National Security." The UNC Partnership for National Security works to connect the resources of the University of North Carolina system to the needs of our military, its service members, veterans, their families and the defense industry in North Carolina. The partnership's goals are to support the service member, contribute to the mission, and grow North Carolina's defense economy.

As it relates to serving the military, the University system's strength as a whole is greater than the sum of our individual efforts. Presidents Bowles and Ross made the deliberate decision to leverage the University's greatest strengths and resources to deliver the best solution to the customer – whoever that may be. It may be the student, an Army civil affairs unit deploying to Africa, or a defense contractor seeking faculty expertise for a federal contract. But, ultimately the real customer is the taxpayer who expects a "whole of nation" approach to ensuring national security. I lead a team of committed professionals dedicated to five specific Partnership efforts:

1. Degree Programs and a fellowship program for service members (UNC SERVES);
2. Pre-deployment short courses, training, and subject matter expertise exchange;
3. Science and technology support for the special operations community;
4. UNC Student internship opportunities with the military or defense companies; and
5. Stakeholder engagement in the state to grow North Carolina's defense economy.

The UNC Partnership staff works closely with each of the sixteen UNC institutions in support of the five efforts. One thing we learned quickly from our campus colleagues is that veterans are not your typical students. They come to us from a highly structured, bureaucratic environment and are often uneasy with the loosely structured, bureaucratic environment of the University. The university admissions and enrollment processes for veterans can be complex. Sometimes it requires the veteran to visit different departments across the campus. One of our top priorities is to centralize information sharing using a technology-based platform, providing a virtual "one-stop-shop" for veterans. This enables us to provide reliable and consistent information to veterans by offering answers to their most commonly asked questions. And, as unique situations arise the veteran always has the name and contact information for a specific campus-based staff member to ensure that his or her questions can be answered. All campuses are encouraged to go beyond a technology-based solution and provide a centralized physical location that provides

veterans with access to the resources they need. Many UNC institutions already have veteran's centers and several others are in the process of getting them in place. To access our virtual one-stop-shop:

www.uncserves.northcarolina.edu

Another technology-based resource in development is the North Carolina Military Educational Positioning System or NCMEPS. This website, funded in part by the Aurora Foundation, is designed to provide an active-duty service member or veteran the opportunity to utilize "decision-tree" modules to assist them in making good choices about pursuing higher education in North Carolina. For example, the GI Bill module allows the user to answer a series of questions about their personal circumstances so that the student can learn more about how to maximize their VA benefits. While the website is being developed by the University of North Carolina system, the goal is to help the prospective student find, pay for, and apply to the college that's right for them, help them navigate college successfully wherever they enroll, and finally graduate and transition to the workforce. To access the NCMEPS:

www.ncmileps.northcarolina.edu

For active duty service members, the University system has military academic advisors at Fort Bragg and Marine Corps Base Camp Lejeune. At Fort Bragg, we work closely with the United States Army Special Operations Command (USASOC) and have an academic advising office in their Special Warfare Center and School. We will assist any service member or their family member at this location. The University also works closely with the Marine Corps Forces Special Operations Command (MARSOC) and recently hired an academic advisor to work with all Marines through the base education office.

The University system works with the North Carolina community college system to create Associates, Bachelors, and Doctoral degree programs and transition pathways geared toward active duty service members, veterans, and their families. Specific examples include:

- Fayetteville State University, North Carolina State University, UNC Pembroke, and Western Carolina University partner with Fayetteville Technical Community College and the USASOC Special Warfare Center & School at Ft. Bragg to develop an Associate of General Education (A.G.E.) degree that awards credit for military training and transitions to Bachelor degree programs in areas such as Intelligence Studies, Criminal Justice, and Interdisciplinary Studies (<http://www.soc.mil/swcs/education/>). This Associates to Bachelors degree pathway was created specifically for active duty soldiers in the US Army Special Operations Command.
- UNC Wilmington and Coastal Carolina Community College have partnered with the United States Marine Corps to offer undergraduate and graduate courses and Associate, Bachelor and Master's degrees on the community college campus and

aboard Camp Lejeune for active duty and veteran Marines and their spouses or dependents (<http://www.uncw.edu/onslow/>).

- UNC Wilmington created a Master of Arts degree in Conflict Management and Resolution specifically geared toward active duty service members, which has since been expanded to include tracks for civilian students (<http://uncw.edu/cmr/index.html>).

The University system also has a long history of working with the North Carolina Community College system to establish smooth and seamless transfer pathways for community college students. The North Carolina Comprehensive Articulation Agreement (CAA) – a statewide agreement governing the transfer of credits between North Carolina community colleges and North Carolina public universities – defines a 44-semester credit hour general education core which, if completed at the community college, is fully transferable to UNC institutions and will satisfy general education requirements.

In addition to the statewide CAA, some UNC institutions have established separate articulation agreements that are specific to certain majors and enable students to progress from an Associate in Applied Science (A.A.S.) degree to a Bachelor's degree. Major study areas include Information Systems and Engineering Technology, which are directly applicable to military education requirements.

NCSU Engineering Online is a unique partnership between NCSU and other North Carolina institutions to extend the offering of NCSU's undergraduate engineering instruction throughout North Carolina. Through Engineering Online, students can complete a site-based pre-engineering program at Craven Community College, Johnston Community College, UNC Asheville or UNC Wilmington and later transfer to NCSU to complete their Bachelor's degree in Engineering.

We believe that the "one stop shop" approach works well for the University, the student veteran and for the military. And, a primary reason for this approach is because as a state and as a public university we care deeply about "the whole soldier." (I use the term "soldier" to represent all of the men and women in uniform.) We care about providing them with access to a high-quality, affordable education in support of their personal or professional goals. We care about the families that they leave behind when they deploy. We care about the kit and equipment they carry down range. We care about providing them with a top-notch civilian workforce to support their mission. And, when they decide to separate or retire from service we care about helping them transition to a good-paying job in North Carolina.

Our efforts in this regard are not because a government agency requires us to do something. We commit ourselves to the UNC Partnership for National Security because of that deeply embedded "prideful acceptance and support" referenced earlier. The soldier that deploys may be our family member, friend or neighbor. The family that they leave behind is our family. The education that the service member needs is crucial to the mission because the most important weapon that he or she has is not an assault rifle - but

their mind. They need to be able to adapt to changing environments, use critical thinking skills, learn a foreign language, employ negotiation skills, and apply conflict management lessons. The kit and equipment they need must be the latest and greatest thing because they need the ability to gather intelligence, execute a mission and come home safely. And, when the service member makes the transition to veteran in civilian society we want that veteran to remain in North Carolina for the long term. It is no secret that veterans make great employees and start and grow successful small businesses.

The University of North Carolina can and should be a natural place of transition for the veteran. They have earned an educational benefit. And, this benefit can be the ticket to their future. Our faculty report that they love having veterans in their class. These students attend classes regularly, take the assignments seriously, are attentive and provide a unique perspective in class discussions. All students benefit from their presence in the classroom.

Finally, the University of North Carolina system commits itself to partnering with the military because national security should be a priority for all us - not just for the less than half of one percent of us that serve in the armed forces. We can all do something to contribute. The faculty, staff and students of the University of North Carolina stand ready to do our part.

Thank you, Madam Chair. This concludes my testimony.

UNC SERVES: Campus Progress as of June 2013

													Best Practice Recommendation
													Grants PE Credit to Service Members
													Clearly Articulated Military to Campus Credit Equivalencies
													Offers Priority Enrollment for Active Duty Military Students
													Clearly Articulated Call to Duty Student Policy
													Classifies Military Students as Transfer Students
													Admissions Counselor for Military-Affiliated Students
													Offers Conditional Admission Contracts
													Financial Aid Counselor for Military-Affiliated Students
													Accepts Tuition Assistance
													Accepts Veterans Education Benefit
													Offers Payment Plan for Students with VA Payment Delay
													Offers Scholarship or Grant for Military, Veterans or Dependents
													Offers Military or Veteran Specific Housing or Assistance with Off Campus Housing
													Student Affairs Person for Military-Affiliated Students
													Established Student Veteran Organization or Other Military Student Organizations
													Veteran or Military Student Space on Campus
													Military or Veteran Orientation Session
													Tracks Active Duty Military and Veteran Student Populations
													Identifies Military-Affiliated Students on the Student Data File
													PTSD/TBI and Military Stress Trained Support Staff in Counseling Center
													Yellow Ribbon Program Participation
													Military Affairs Liaison Appointed
													Targeted Collateral Material for Military Students
													Established Military Affairs Committee
													Offers Core Education Curriculum Online
													Designated Military Ombudsman to Advocate on Behalf of Students
													Offers Targeted Online Programs to the Military
MoU	MoU	MoU	MoU	MoU	MoU	MoU	MoU	MoU	MoU	MoU	MoU	MoU	Affiliated with the Servicemembers Opportunity College (SOC)
													Employs VA Work Study Students
													Dedicated Web Presence for Military-Affiliated Students
													Conducts Military Student Awareness Training for Faculty, Staff and Students
													Military or Veteran "Seminar" Classes
													Delivers Classes on Military Base (with approval from Military Installation)
													Army ROTC
													Air Force ROTC
													Navy/ Marine Corps ROTC

Established > 6 months.

New < 6 Months

In Progress

Planning

TBD

MoU DoD MoU Signed

Submitted to the House Committee on Education and the Workforce Subcommittee on Higher Education and Workforce Training as an attachment to September 11, 2013 testimony submitted by University of North Carolina employee, Kimrey Rhinehardt.

Military Student Success

The University of North Carolina is committed to the success of military-affiliated students.¹ This policy, and its associated regulations and guidelines, provide a framework for the constituent institutions of the University of North Carolina to develop and maintain a comprehensive network of services for military-affiliated students seeking to meet their educational goals. The President shall establish regulations to implement the requirements of these policies and to promote the general welfare of service members, veterans, spouses, and dependent family members at the constituent institutions.

A. Admission of Active Duty Service Members and Veterans

The University of North Carolina and its constituent institutions are committed to equality of opportunity. The University administers nondiscriminatory admissions policies by fairly evaluating the records of applicants.

For purposes of undergraduate admission to any constituent institution of The University of North Carolina, any individual having completed a minimum of two years of cumulative active duty service in the United States Armed Forces who otherwise meet the criteria for a transfer student will be considered a transfer student in the admissions process pursuant to 700.1.1.1[R], Special Consideration 3, with the branch of service functioning as the institution of transfer. If discharged from active duty, the veteran must have received an Administrative Discharge. This policy shall not apply to veterans receiving a "Bad Conduct or Dishonorable Discharge."

Under conditions set forth by the President in regulations associated with this policy, applicants in this profile may be offered special consideration with regard to the minimum admissions and minimum course requirements for transfer students.

Nothing in this policy guarantees admission for students who do not meet institutional academic standards for admission. Constituent institutions retain sole authority for admissions determinations.

B. Military-Affiliated Student Data

The President shall establish appropriate and uniform data collection procedures to enable the constituent institutions to identify and track the academic progress of service members, veterans, spouses, and dependent family members for the purposes of evaluating and reporting retention, graduation and the length of time to degree.

C. Residency Status of Military-Affiliated Students

North Carolina created and maintains its public institutions of higher education primarily for the benefit of the residents of North Carolina, and its institutions are generously supported by the General Assembly and the public. Active duty personnel in the United States Armed Forces, and their spouses, dependent children and dependent relatives and members of the North Carolina National Guard may be eligible for in-state tuition under the conditions established by General Statutes of the state of North Carolina and enacted by regulations in the North Carolina State Residence Classification Manual and in association with this policy.

¹For the purposes of this policy, "military-affiliated students" shall include students who are service members (including National Guard and Reserve members), veterans, spouses of service members or veterans, or dependent family members of service members or veterans.

D. Campus Support Structures for Military-Affiliated Students

The constituent institutions of the University of North Carolina shall develop and maintain campus-based support networks as well as a comprehensive series of community, regional, and national referrals for military-affiliated students to assist in successful navigation of their educational goals. These services shall include, but not be limited to, admissions, financial aid, housing, student affairs, health services and counseling, and academic affairs.

E. Military Credit Transferability

The University of North Carolina recognizes the value of the education, training and experience that military students bring to the university. The university and its constituent campuses shall establish a process by which this learning can be evaluated for possible course credit. Such military learning may include but will not be limited to recruit training, military occupational specialty (MOS) training and education, Defense Language Institute foreign language coursework and exams, Community College of the Air Force (CCAF) coursework, CLEP (College-Level Examination Program) and DANTES Standardized Subject tests. The American Council on Education (ACE) credit equivalency recommendations serve as the standard reference work for recognizing learning acquired in the military.²

F. Call to Duty

The University of North Carolina supports students called to active duty or training in the United States Armed Forces, including service in the National Guard or Reserve.³ The policies of the University shall assist, whenever possible, the student in withdrawing and re-entering the university without financial or academic hardship. Such policies shall include but are not limited to:

- Military Withdrawal
- Refunds of Tuition, Fees, and Other Expenses
- Academic Credit
- Deferral of Enrollment
- Military Leave of Absence
- Re-admission into the University
- Scholarship Status

²Nothing in this policy prevents constituent institutions from evaluating military learning independent of the ACE evaluation.

³Campuses may choose whether to extend some or all of the benefits of these policies to the spouse or child of a person called to active duty. Campuses may also choose to include spouses and children of persons called to active duty under the extenuating circumstances regulation (BOG Policy 400.1.5[R]).

Chairwoman FOXX. Thank you very much.
I now recognize Dr. Arthur Kirk for 5 minutes.

**STATEMENT OF DR. ARTHUR F. KIRK, JR., PRESIDENT,
SAINT LEO UNIVERSITY**

Mr. KIRK. Chairwoman Foxx, Ranking Member Hinojosa, members of the subcommittee, I appreciate the opportunity to discuss programs that assist our nation's servicemembers and veterans in obtaining a higher education. I am Art Kirk, president of Saint Leo University.

Saint Leo University, a Catholic university founded in 1889, offers over 40 undergraduate and graduate programs on a residential campus in Florida; on 16 military bases in Florida, Virginia, South Carolina, Mississippi, Texas, California, and Georgia; to students everywhere online; on community college campuses; and at other locations near bases.

G.I. Jobs and Military Advanced Education rank us among the most military-friendly institutions. But we understand that we must be more than just military-friendly. We must be military and veteran supportive.

We are celebrating 40 years of serving military students. The university began offering degree programs on bases at the height of the Vietnam War, becoming the first college in the nation to grant the bachelor's degree on an Air Force base, when members of the military found it very difficult to complete their education while on active duty. We adopted online offerings for the military in 1997. We partner with GoArmyEd, eArmyU, Navy College Distance Learning, Air Force Academic Institution Portal, Air University, the Marine Corps Lifelong Learning Program, Servicemembers' Opportunity Colleges, and more.

Saint Leo offers credit for prior learning, military training, and Air Force and ROTC opportunities. Today, seven Saint Leo ROTC candidates are in the Army Green to Gold program for veteran non-commission officers. Last year we enrolled 5,697 veterans, 79 percent of whom were post-9/11 vets, while educating 4,886 active duty military, representing 39 percent of our student body.

The university provides our military students outstanding academics and personal attention in small classes. These qualities characterize the National Association of Independent Colleges and Universities, which I also represent today.

With more than 1,000 members, NAICU reflects the diversity of private, not-for-profit higher education in the U.S. Over half of our colleges educate fewer than 5,000 students; a quarter enroll fewer than 2,000. Many veterans choose to attend these smaller institutions.

To support our military and veterans mission, the Saint Leo Office of Veteran Student Services opened in 2011 to work with all university departments and community organizations to meet the needs of our veterans. Dr. Jose Coll, who came to the U.S. as a boy when his parents fled Cuba, leads the office.

The first American Coll encountered was a Marine. Coll later served with the 1st Force Reconnaissance Company Marines. Regarding Saint Leo's support of vets, he noted, "It takes the entire university to do what we do so well."

Our efforts to create a proactive veteran-supportive environment include extensive training programs. Our 52 veteran certifying officials, our academic advisors, faculty, and staff receive training in identifying and addressing issues that veterans may face, including post-traumatic stress. We take staff through scenarios so they know where to refer students for the needed support on and off campus.

We also offer training to public schools and law enforcement agencies as well as to our students and faculty in those majors. We believe social support is critical and continue to identify ways for veterans to connect on our campus and education centers.

Employee veterans play a critical role, mentoring Saint Leo student veterans. We educate the university community about military culture and build an inclusive community that benefits our entire student body.

All our military and veteran students receive a roadmap to graduation. We determine what credits the student brings to college and develop a clear sequence of courses towards the degree of their choosing. Their plan is updated each term.

Saint Leo maintains a retention alert system so that advisors can intervene when a student misses classes or receives failing mid-term grades. Veterans and servicemembers attending Saint Leo receive critical financial support, including the financial aid programs under the jurisdiction of this committee and programs supported by the Departments of Defense and Veterans Affairs. We are grateful for the commitment and support the federal government provides for those who serve the nation.

Saint Leo works to do our share by participating in the Yellow Ribbon program and raising money for private scholarships. Saint Leo also initiated a two-step certification process for V.A. benefits that makes the process much quicker and more manageable for the veteran but adds work for us.

All this support results in success. Saint Leo awarded 1,485 associate, bachelor's, and graduate degrees to just veterans last year—more than double two years ago.

On our campus stands a 30-foot bronze sculpture of a soldier, sailor, airman, Marine, and guardsman upholding Lady Liberty—a tribute to all of our military and veteran students and graduates and a daily reminder that their service allows us the freedom to live, learn, and teach in peace and security. We take great pride in serving those who serve.

[The statement of Mr. Kirk follows:]

Prepared Statement of Arthur F. Kirk, Jr. President, Saint Leo University

Chairwoman Foxx, Ranking Member Hinojosa, and members of the Subcommittee, I appreciate having the opportunity to appear today to discuss programs that assist our nation's servicemembers and veterans in obtaining a higher education. I am Art Kirk, president of Saint Leo University.

Saint Leo University is an independent Catholic university founded in 1889. The University offers over 40 undergraduate and graduate degree programs on its residential campus in Florida, and to adult students on 16 military bases in Florida, Virginia, South Carolina, Mississippi, Texas, California, and Georgia; to students in all states and overseas through our center for online learning; on 15 Florida community college campuses; and at several other locations near military bases.

Saint Leo is ranked among the nation's most military-friendly institutions by G.I. Jobs and Military Advanced Education magazines. It is one of only 10 institutions nationwide to be approved by the U.S. Coast Guard for participation in its new Mar-

itime Law Enforcement College Partnership Program. But we understand that we must be more than just military and veteran friendly, we must be military and veteran supportive.

We are currently in a year-long celebration of 40 years of serving those who serve. The University began offering full degree programs on military bases in 1973, and became the first college or university in the nation to grant the bachelor's degree on an Air Force base. We started with 176 students at the Avon Park Bombing Range and 13 at MacDill Air Force Base.

This was at the height of the Vietnam War. At the time, many members of the armed forces found it difficult to complete their education while on active duty. Some were stationed in conflict zones. Some served at military installations in isolated areas. Many performed shift work and could not attend regular daytime classes. Often servicemembers were transferred before they could complete their degree programs. My University's mission, to provide opportunities for people of good character regardless of their religion, compelled us to respond to these needs.

We were an early adopter, in 1997, of online offerings for the military. In efforts designed to fit the mobile lifestyle of military personnel worldwide, we partner with:

- GoArmyEd
- eArmyU
- Navy College Program Distance Learning Partnership (CPDLP)
- The Air Force Academic Institution (AI) Portal
- Air University Associate to Baccalaureate Cooperative Program
- The Marine Corps Lifelong Learning Program's Academic Explorer (AeX)
- Servicemembers' Opportunity Colleges program and its Degree Networking System

Saint Leo also offers our students credit for prior learning experiences and maintains a partnership with University of South Florida that allows University Campus students to participate in Air Force and Army ROTC programs at USF. ROTC provides the tools, training and experiences for students to become officers in the United States military, while earning money toward their college education. This year seven Saint Leo ROTC candidates are from the Army Green to Gold program for veteran non-commission officers who can choose any ROTC program to complete their BA degree and receive their commission.

Saint Leo University enrolled 5,697 veterans during the past academic year, 4,477 (78.5%) of whom were Chapter 33 or Post-9/11 veterans. The University also educated 4,886 active duty military and reservists during the course of the last academic year. All told, this equals nearly 39% of the students who took at least one course with us during the year.

The University is proud of its military students and is committed to providing them with outstanding academic programs and personal attention in small classes. I might add that these are qualities that characterize the member institutions of the National Association of Independent Colleges and Universities, which I am also representing today. With more than 1,000 members nationwide, NAICU reflects the diversity of private, non-profit higher education in the United States. Over half of our nation's private, non-profit colleges have fewer than 5,000 students, and a quarter have fewer than 2,000. Many veterans choose to attend these smaller institutions.

To further support our military and veterans mission, the Saint Leo University Office of Veteran Student Services opened in 2011. The Office works collaboratively with all university departments and community organizations to best meet the needs of our student veterans in order to ensure them every opportunity to accomplish individual goals.

This office is headed up by Jose Coll, who came to the United States as a young boy when his parents fled Cuba. The first American Coll encountered in Key West was a Marine, a meeting that triggered his own desire to join the Marine Corps. Coll served with the 1st Force Reconnaissance Company at Camp Pendleton where he supervised combat parachuting operations and training. Due to the positive experience and mentorship he received at Saint Leo, Coll decided to enter academia. Commenting on the role that all departments at Saint Leo University have played in supporting veteran education, Coll noted "It takes the entire university to do what we do so well."

Our efforts to create a proactive "veteran-supportive environment" at Saint Leo include relevant training for faculty, staff, and students. In particular, our 52 veteran certifying officials (VCOs) (up from 20 a few years ago), academic advisors, many faculty and staff receive extensive training in identifying and addressing issues that veterans are likely to face in pursuing their education. These training programs take them through a series of "what-if" scenarios to assure that our staff know where students can be referred to to receive the support they need—both on-

and off-campus. Our faculty and staff are also trained to identify signs of post-traumatic stress and how to respond to it on the spot.

This training is conducted by our Office of Veteran Student Services, which also offers training in nearby public schools and to our education majors and faculty in dealing with the particular issues faced by children of veterans. Likewise, the office conducts training sessions with law enforcement agencies and criminal justice students and faculty regarding issues they may encounter with veterans in their communities.

We believe that social support is also critical and continue to look for new ways for veteran students to connect on campus and at our education centers. We recognize the critical role that faculty and staff veterans can play in mentoring veteran students and have encouraged these interactions. We also look for ways to educate the Saint Leo University community about military culture and veterans' issues. The sense of community that these efforts build on campus benefits our entire student body—veterans and non-veterans alike.

There are a number of things we're doing that offer important academic support. For example, we provide all our military and veterans students with what I think of as a "road map to graduation." Essentially, at the outset, we determine what credits the student is already bringing to college and then develop a clear sequence of courses towards the degree of their choosing.

This plan is updated each term so that the student clearly understands what is needed to graduate.

Saint Leo also has a retention alert system so that advisors can take a closer look when a student misses classes or receives failing grades and see that appropriate remediation is provided.

This is by no means a one-way street. Our veteran students, who now comprise just under 5% of our campus residential students, have had a tremendously positive influence on campus.

In addition, veterans and servicemembers attending Saint Leo receive critical financial support from a variety of sources—including the financial aid programs under the jurisdiction of this committee as well as programs supported by the Departments of Defense and Veterans Affairs (VA). Those of us involved with military and veterans' education are grateful for the commitment and support the federal government has provided in offering opportunities for those who serve our nation.

We work to do our share as well, through participation in the Yellow Ribbon program and support for private scholarships. At Saint Leo, we have also initiated a two-step certification process for VA benefits that has made the process much quicker and more manageable for the veteran. It does involve extra work on the part of our staff, but the improved help to veterans is well worth the investment.

All of this support results in success. The University awarded 311 associate degrees, 884 bachelors, and 290 graduate degrees to veterans last year (1,485 total: more than double than two years ago). Our veterans maintained a grade point average of 3.31 in their undergraduate studies.

At the center of our campus, stands a 30 foot bronze sculpture by artist Dexter Benedict of a soldier, sailor, airman, marine and guardsmen upholding lady liberty as a tribute to all of our military and veteran students and graduates and a daily reminder to all of us on campus that their service allow us the freedom to live, learn and teach in peace and security. We take great pride in serving those who serve.

Chairwoman FOXX. Thank you very much.

I now recognize Dr. Kitchner for 5 minutes.

**STATEMENT OF DR. RUSSELL S. KITCHNER, VICE PRESIDENT
FOR REGULATORY AND GOVERNMENTAL RELATIONS, AMERICAN
PUBLIC UNIVERSITY SYSTEM**

Mr. KITCHNER. Chairwoman Foxx, Ranking Member Hinojosa, members of the committee and staff, I have the privilege of joining you today and representing American Public University System, which consists of American Military University and American Public University. Originally chartered as American Military University in 1991, its history and legacy reflect one of the unique strengths of our nation's approach to higher education: the ability

of one person's vision to be transformed into a distinguished center for teaching and learning.

Marine Corps Major James Etter had experienced the frustrations of obtaining the academic credentials necessary for advancement in grade and rank that resulted from frequent deployments, and he recognized the emerging potential of the Internet to mitigate the reliance upon on-the-ground instruction.

From an initial cohort of 18 students, American Military University now enrolls over 70,000 military students and veterans, and its APU counterpart serves approximately 50,000 more civilians, each of them taking advantage of more than 90 programs of study. The university is regionally accredited by the Higher Learning Commission of the North Central Association. In 2011, its accreditation was reaffirmed for an additional 10 years.

In the brief comments to follow I will focus on four qualities that I believe are critical to our conversation this afternoon: academic quality, institutional transparency, affordability, and what it means to be military-friendly.

I would offer just a few indicators related to academic quality. First, APUS is a recognized leader in assessing online learning, as evidenced by it being cited in 2009 by the Sloan Consortium with its Ralph Gomory Award for Quality Online Education.

Second, on the 2011 Educational Testing Service proficiency profile, APUS graduates exceeded the national norms in every academic category. Furthermore, 16 APUS students were designated as Presidential Management Fellows in 2012, which placed the university in the top 10 institutions nationally.

On the matter of transparency, the university has an extraordinarily robust institutional research division, supported by a president who is committed to using data to measure institutional performance and to identify indicators of the university's success and fulfilling its mission on behalf of the students' educational objectives. The university publishes the results of this data analysis on its public website.

It should be noted in this context that regulatory compliance has become an essential dimension of ensuring that servicemembers and veterans obtain the full value of their academic efforts and investments. APUS has successfully accommodated the rules and regulations of institutional and program-specific accreditors; presidential executive orders; the Departments of Defense, Veterans Affairs, and Education; and the appropriate authorizing agency in each of the 50 states. This is both time- and resource-intensive, and while the university embraces the principle of accountability, the increasing scope and number of regulatory hurdles has the potential to negatively affect institutional efficiency and limit educational options for military students and veterans.

With regard to affordability, the university has not raised undergraduate tuition since 2001, and it is approximately 20 percent less than the average in-state tuition at public institutions and 34 percent less than private nonprofit institutions. Also, it offers a book grant for undergraduate students that in most cases underwrites the full cost of instructional materials. Consequently, relatively few military and veteran students need to apply for loans, and even fewer need to do so to cover instructional-related expenses.

I would like to state in this regard that, while no one questions the importance of the current national discussion related to college affordability, America's military and veteran students do not deserve to be caught in its crosshairs, nor should their earned benefits be held hostage to that debate.

Finally, the university's military culture continues to reflect the vision of its founder, but I believe that there are a number of other factors that underscore our commitment to serving military students and veterans well, and that can be applied and those factors can be applied elsewhere.

In addition to the accessibility afforded by our robust online learning platform and the other attributes noted earlier, the university has implemented monthly rather than quarterly or semi-annual course starts. We also have a very liberal leave policy that takes into account deployments, personal bereavement for fallen comrades, and other unforeseen circumstances that often affect students serving on active duty.

A generous approach to accepting American Council on Education-certified military credits and transfer work from other accredited institutions enables our students to complete their programs of study without duplicating earned coursework, thus limiting their expenses, unnecessary taxpayer investment, and a time-to-degree completion. These and other policies and practices largely explain why nearly 70 percent of our newly admitted military and veteran students indicate they heard about AMU from a friend.

We sincerely appreciate the willingness of this committee to recognize the dedication of our students and the efforts of those who are committed to their success. Together we can continue to advance Major Etter's vision to educate those who serve.

Thank you.

[The statement of Mr. Kitchner follows:]



Testimony before the

House Committee on Education and the Workforce

Subcommittee on Higher Education and Workforce Training

Submitted by

Dr. Russell S. Kitchner, Vice President for Regulatory and Governmental Relations

On behalf of

American Public University System

September 11, 2013

American Public University System

American Public University System (APUS) is a regionally accredited, private, proprietary institution based in Charles Town, West Virginia. APUS operates through two online universities: American Military University (AMU) and American Public University (APU). Both entities share a common curriculum, faculty, staff, facilities, and a joint mission, which is to expand access to a quality post-secondary education, with emphasis on educating the nation's military and public service communities. APUS does so by providing respected, relevant, affordable, and student-focused online programs that prepare graduates for service and leadership in a diverse, global society.

The Historical Military Leadership and Legacy of American Public University System

Retired Marine Corps Major James P. Etter founded the American Military University (AMU) in 1991 for the specific purpose of providing high-quality, accessible, and affordable higher education degree programs to military officers, and eventually, to enlisted service members as well. His experience with the difficulty of continuing a specific field of study when relocating as a result of changes in duty stations led to his vision of a university designed to provide an education at a distance, regardless of the student's location throughout the world. His vision was to offer flexible yet rigorous programs that readily accommodated military deployments, addressed internal career advancement, and prepared students for post-discharge careers. He specifically wanted to establish an institution that was friendly to members of the military, and was mindful of creating policies and processes that made it possible for military students to successfully achieve their educational goals.

In keeping with this legacy, AMU as a component of the American Public University System continues to retain numerous faculty and staff members with military experience who understand, respect and promote its culture of service and commitment to military students and other public service professionals. It is worth noting that four of the nine members of the APUS Board of Trustees are retired senior officers with very distinguished military careers, including Vice Admiral Ann Rondeau, General Alfred Gray, Major General Robert L. Nabors, and Lieutenant General Richard G. Trefry. (Please see **Exhibit 1** for a more detailed history of APUS and a brief biographical summary of this group of distinguished officers).

APUS Student Profile

- Of the more than 100,000 active students enrolled at APUS, approximately 57 percent are active duty military. APUS also serves Veterans, reservists, and National Guard personnel, in addition to addressing the needs of a growing number of public service professionals and civilians - in particular teachers, government employees, government contractors, law enforcement officials, and first responders.
- Approximately 40 percent of new students indicated that they were referred to APUS by others, and that number increases to nearly 70 percent in the case of military and veteran referral rates. These percentages also reflect the impact of the university's approach to creating greater awareness by developing relationships with a diverse array of corporations, associations, non-profits, and community colleges. APUS is a higher education partner with Walmart, SAIC, Lockheed Martin, National Association of Environmental Professionals, and the NFL Players Association, just to name a few. (See also **Exhibit 1**).

- Average student's age - 32; Gender - 66 percent male/34 percent female); Average course load/year - military 3 courses/civilian 4 courses.
- The 2013 graduating class consisted of nearly 8,000 individuals representing all 50 states of the United States and many nations from around the world, including Canada, Mexico, Australia, Uruguay, Germany, Iraq, and Afghanistan.

APUS Faculty/Staff

- 430 full-time faculty/1,570 part-time faculty. In 2012, these individuals collectively published over 400 professional journal articles, made more than 800 presentations at conferences, and received more than 100 awards for distinguished scholarship/service.
- Expert scholars in their fields, including Alan Hale (astronomy), Wendy Lawrence (astronaut), and Gwen Hall (national security expert)
- The University's emphasis on serving military students is particularly evident in its faculty training programs, which include workshops on topics such as PTSD and military culture. The faculty understands the limitations military students often face with such matters as Internet connectivity, bandwidth, and using shared military computers. They design their courses so that these and other limitations are not obstacles that would prevent students from successfully completing courses. Web-based learning objects and tools are carefully reviewed to ensure that all students, including those in the military with limited Internet bandwidth, can use them effectively
- APUS has a history of service and leadership in organizations that serve the military and the education community, such as the Council for College and Military Educators, and the Virginia Council on Military Education.
- APUS shares its knowledge and experience in working with military students with members of the broader academic community. For example, APUS faculty member Col. (ret.) Phil McNair teaches workshops for the non-profit Sloan Consortium titled *How to Better Serve Military Students*. This workshop has influenced the teaching and advising practices of countless faculty members at a large number of colleges and universities. Additionally, the university's faculty and staff members make frequent presentations at academic conferences on topics such as *Academic Advising for Military Students*, and *How Online Learning May be Beneficial for Students with PTSD*.

The University's Commitment to Student Support

APUS has nearly 2,000 full and part-time faculty whose responsibilities frequently include student academic advising. In addition, the university employs a significant number of Military Team Benefits counselors in Financial Services, as well as over 100 dedicated academic advisors and counselors. An additional 70 individuals serve as transfer credit advisors, an especially important function, given that most military and veteran students have taken courses at more than one institution. **Technology and librarian support is available 24 hours a day, 7 days per week for all students and faculty.**

The APUS chapter of the Student Veterans of American (SVA) is the largest in the Nation, and it represents an excellent example of how an online university can go beyond the classroom to build a student community.

APUS Focus on Student Performance

- APUS believes that it is important to share assessment results and provide evidence of student learning to the public.
- On the 2011 Educational Testing Service (ETS) Proficiency Profile (a norm-referenced gauge of general education outcomes), APUS graduates exceeded the national norms in every academic category, including Writing, Reading, Social Sciences, Natural Sciences, Mathematics, Humanities and Critical Thinking.
- A number of APUS alumni have achieved the rank of general in the Marines and Air Force. One alumnus served as an astronaut and two alumni have received White House Fellowship appointments.
- Sixteen APUS students were designated as Presidential Management Fellows in 2012, which placed the university in the top 10 institutions nationally.

Additional measures of student outcomes and institutional performance can be found at the following link: <http://www.apus.edu/community-scholars/learning-outcomes-assessment>

Commitment to Measuring and Reporting Academic Metrics

The American Public University System is a recognized leader in assessing learning in an online environment. Some of the indicators of its commitment to student learning and world class assessment processes include being awarded the 2009 Ralph E. Gomory Award for Quality Online Education by the Sloan Consortium (Sloan-C) in recognition of its effective implementation of a data-driven approach to creating a culture of excellence and values in online education. Sloan-C is an organization of more than 1,400 universities, colleges, and institutions committed to advancing best practices in online learning and expanding the quality of online higher education. APUS was the first 100 percent online institution (and the first and only for-profit institution) to achieve this distinction, which is presented annually to one institution that demonstrates a commitment to assessing and improving the quality of its online education programs. That same organization recognized a joint APUS/Purdue University research effort with its 2009 Effective Practice Award for using the Community of Inquiry Framework Survey for Multi-Level Institutional Evaluation and Continuous Quality Improvement. This was followed by a 2010 Effective Practice Award for APUS's use of advanced analytical techniques to ensure course quality.

In addition, APUS is a charter member of Transparency by Design (TbD), which is an institutional accountability initiative developed through The Presidents' Forum at Excelsior College. The initiative's members represent regionally accredited, adult-serving, higher education institutions throughout the country.

In February, 2008 APUS joined with 15 other institutions regionally accredited by the Higher Learning Commission (HLC) of the North Central Association to participate in the HLC Academy for Assessment of Student Learning (Assessment Academy). Participation in the Assessment Academy was intended to assist selected institutions in promoting a culture of assessment, continuous evaluation, and institutional growth. The university has completed the first four-year term of this project, and it has committed to a subsequent, four-year sequence of events that will target the acceleration and advancement of its efforts to improve student learning.

Two other indicators of the APUS commitment to quality and excellence in analytics are its involvement with sponsored research. For example, APUS is one of six participants in the Open Academic Analytics Initiative (OAAI) in an ongoing, \$250,000 Next Generation Learning Challenges (NGLC) grant that uses data to promote academic quality and student success. Designed and funded by the Bill & Melinda Gates and William & Flora Hewlett Foundations, NGLC is focused on identifying and scaling technology-enabled approaches to dramatically improve college readiness and completion, especially for low-income young adults in the United States.

In addition, in May, 2011, APUS became a participant and assumed the principal investigator role in the Predictive Analytics Reporting Framework (PAR) project, initiated by the Western Interstate Commission for Higher Education's Cooperative for Educational Technologies (WCET). Funded by a \$1.05 million grant from the Bill and Melinda Gates Foundation, PAR is a data aggregation and analysis initiative intended to assess issues related to online course retention and progression across a spectrum of institutional types, with an emphasis on delivering intelligence that will enhance programmatic quality in the higher education sector. Notably, the primary focus of this initiative is to develop an understanding of those factors that affect the ability of all students to be successful in the online post-secondary environment.

APUS Graduation rate

An institution's graduation rate has become one of the most commonly cited metrics in the context of evaluating institutional performance. However, it is becoming increasingly understood that the traditional IPEDS-based calculation is not particularly relevant, especially given that the IPEDS criteria (first-time/full-time) now capture less than twenty percent of college students, and typically less than 5 percent of APUS students. APUS posts its overall graduation rates on its public website, and those rates are considered to be relatively conservative, requiring the completion of only two courses for associates and master's students, and three courses for bachelor's students. It is not uncommon for adult-serving institutions to require a minimum number of credits transferred and a higher number of completed courses before including students in their graduation/completion calculation.

APUS Military and Veteran Graduation Rate Tracking

Recently, APUS adopted what it considers a more meaningful formula for calculating its military and veteran student graduation rate. This formula is modeled after the parameters that were established by the Education Working Group as part of the Servicemembers Opportunity Colleges (SOC) contract managed by DANTES (Defense Activity for Non-Traditional Education Support) for the Department of Defense. (Please see **Exhibit 3** for information related to the SOC formula). The APUS graduation rates for military and veteran students are calculated for cohorts of students who started their program within a specific calendar year. In order for the students to be included in the graduation rates they have to have met the following criteria:

- Successful completion of three courses/nine credit hours in a two-year period, and
- a cumulative GPA > 2.0, and
- transferred and had accepted at least nine credit hours. Completing three courses and requesting that a transcript is sent to the institution should constitute enough evidence that the student intends to graduate from a given institution.

These cohorts are then required to complete their programs within the following timeframes in order to be categorized as having "graduated."

- Associates - 7 years
- Bachelors - 10 years
- Masters - 7 years

(See Military and Veteran Graduation Rate Chart - **Exhibit 2**)

In addition to the criteria above, it should be noted especially that there are factors over which colleges and universities have little, if any influence, yet those factors have the effect of adding a significant dimension of unreliability to graduation rate calculations. Those factors include the following:

- 1) Students have to certify that they are degree-seeking in order to get VA or TA reimbursement for courses, but that may not be their actual intention
- 2) Students who are not transferring credit most likely want to earn credit for only one or two courses at APUS, and subsequently apply those credits to a program of study at another institution.
- 3) The relatively low APUS tuition and course availability (courses typically begin every month) makes the university a popular choice for students who intend only to pick up a couple of courses, but that practice increases the denominator in a standard graduation/completion calculation, with a negative impact on the final percentage.

APUS Student Debt

Median APUS graduate indebtedness is approximately \$5,500 based on the last gainful employment data reported to the university. This average varies by degree program, and is not typical of most military and veteran students. More importantly, it also reflects indebtedness that is not directly related to the cost of tuition and fees - items that APUS has worked hard to maintain at affordable levels for more than a decade.

APUS Cohort Default Rates (CDR)

APUS began participating in Title IV federal student aid programs in late 2006, so data from its graduates' student loan default rates are just beginning to develop. On this point, the university's record has been very good as measured by two-year cohort default rates. The university's current CDR's, as calculated by the U.S. Department of Education are as follows:

- APUS 2010 2 year cohort default rate (most recent) is **5.7%** **National average for all schools is 9.1%**
- APUS 2009 3 year cohort default rate (most recent) is **4.8%** **National average for all schools is 13.4%**

Financial Information

Tuition

Historically, one of the core principles of APUS has been to provide quality higher education at affordable cost. **APUS has not increased undergraduate tuition in more than a decade and it provides textbooks and other course materials to most undergraduate students at no cost through an Undergraduate Book Grant.** APUS undergraduate tuition for all students has been set at \$250 per credit hour since 2001. According to the College Board, during this same 12-year period, the average four-year, public university tuition has increased approximately 150 percent (http://trends.collegeboard.org/college_pricing/report_findings/indicator/40). Combined undergraduate tuition, fees, and books for a full-time student at APUS are approximately \$8,000/year, which is 19 percent less (graduate costs are approximately 33 percent less) than the average in-state cost at a public university. Since the university's tuition is the same regardless of location of residency, its students do not incur the significantly higher out-of-state charges that they would otherwise face if enrolling as a non-resident in a state institution. Furthermore, APUS's undergraduate tuition is approximately 34 percent less than the average tuition among the top 10 online universities.

Approximately 85 percent of APUS military students transfer credit from previously attended institutions, or receive credit from military or corporate training evaluated by the American Council on Education, or by APUS faculty. Moreover, the University's credit transfer policy is intended to maximize the equivalent academic credit earned in accordance with established higher education standards of practice. This reduces the cost and time to degree completion, thereby resulting in substantial savings to both students and taxpayers.

Regulatory Challenges

As a market-funded (for-profit), on-line university, APUS has historically been obliged to accommodate a myriad of state and federal rules and regulations. In the case of state regulations, the fact that each state has the prerogative to establish rules governing out-of-state education providers has led to a complex regulatory environment characterized by policies that occasionally are mutually exclusive, or in conflict with accrediting agencies, and that require a substantial amount of institutional resources. These factors notwithstanding, in 2006, well in advance of any federal mandate to do so, APUS proactively engaged with each state to ensure that its educational programs, instructional methodologies, and other activities were acceptable to those states. This is a very fluid regulatory landscape, but the university continues to work diligently to maintain strong and mutually respectful relationships with the various state agency personnel with which it interacts. This approach - with very few exceptions - has enabled our students to pursue their educational objectives without fear of learning at some point that their programs of study are inconsistent with state policies or rules, or that their degree will not lead to the certification that they seek.

The situation at the Federal level is at least as complex, and the university's approach has been equally dedicated to accommodating the standards and expectations of the Departments of Defense, Veterans Affairs, and Education, as well as Presidential Executive Orders. As a Servicemembers Opportunity College (SOC), APUS has agreed to abide by a set of practices relating to effective communication with military personnel, enrollment and recruitment policies, fair and clear fee structures, ethical admissions practices, and adherence to rules of the Federal Trade Commission. A copy of the SOC standards is attached to this testimony as **Exhibit 3**.

It also should be noted that APUS, like many other colleges and universities that strive to provide high-quality educational programs to military students, veterans, and their families, is obliged to sign and abide by the Department of Defense Memorandum of Understanding, which, in its current draft form includes several noteworthy indicators of academic performance and institutional integrity. Not only does the university operate in accordance with rules established by the individual services and the Department of Defense, it was one of the first institutions to voluntarily submit to a peer-review visit by a team assessing institutional compliance with that Memorandum of Understanding, and it assisted the Department in crafting some of its language. The Department recently announced its proposed revised version of the MOU, which addresses the following:

- Title IV participation is required
- Utilization of the “Shopping Sheet” that was created by the Consumer Financial Protection Bureau. (http://collegecost.ed.gov/shopping_sheet.pdf)
- A designated and qualified single point of contact (either a person or an office) for eligible students.
- Readmission policies addressing a service-related withdrawal or absence
- Compliance with the Department of Education program integrity regulations
- Preapproval by accreditors of new programs
- TA refund policies that align with “Return to Title IV” (“R2T4”) calculation.

Note: A copy of the full MOU is attached to this testimony as **Exhibit 4**.

The university is also accountable to, and enjoys a very positive relationship with its home state (West Virginia) and the WV Veterans’ State Approving Agency. That agency conducts periodic site visits, and those reviews have been unequivocally positive.

The greatest challenges facing APUS, and to varying degrees all higher education institutions at the present time, are the approaches being proposed by the Department of Education, the Administration, and the Congress to address very complex, education-related issues facing the Nation. APUS both recognizes and embraces the importance of assessing how the higher education community is serving the interests of individual students. In fact, those considerations were the sole rationale for the creation of American Military University in 1991, and they remain the guideposts that direct our efforts to fulfill our mission.

Within the past few years, legitimate concerns have been raised with regard to the performance of some colleges and universities - both for-profit and not-for-profit. Addressing these issues warrants thoughtful discussion of the potential impact of various options. Changes to the so-called “90/10 rule” is one of the more controversial suggestions under consideration, and some of the proposed changes to that rule would be very harmful to military students and veterans, due to the corresponding, negative impact that it would have on those student cohorts, including the following:

1. They will increase the cost of attendance and/or limit the options for those students;
2. They diminish the educational benefits earned through military service;
3. They have the effect of questioning the ability of military students and veterans to make informed choices;

4. They have the potential to materially restrict the educational options and career choices available to service members and veterans by restricting enrollment at those institutions that have developed high-quality programs in specialized areas of study;
5. They undermine the ability of colleges and universities that have historically served these students well to continue to fulfill that mission.

APUS is committed to lending its support to initiatives that will be more appropriate and less harmful to those whose interests we are collectively striving to maintain, while addressing the legitimate concerns raised by members of Congress and taxpayers. However, our efforts should not have the effect of limiting the educational options for military students and veterans, or undermining the ability of institutions like APUS to provide those opportunities. Unfortunately, recently suggested changes include establishing graduation/completion metrics that reward some institutions and penalize others. As the post-secondary enrollment of non-traditional and working adult students has substantially increased over the past three decades, the IPEDS data collection system maintained by the Department of Education has not identified or managed to provide benchmark data for institutions serving working adult students. Measuring graduation/completion rates for diverse groups of non-traditional students is extremely difficult as evidenced by the working group assembled by the Servicemembers Opportunity Colleges in 2012. Whereas the standards that have been recommended as benchmarks for military and veteran students, these same measurements may not apply to civilian working adult students.

Hopefully, future discussions and debates ultimately will lead to a regulatory environment that is less complex and cumbersome, and less expensive to maintain and oversee, while more efficiently preserving the ability of high performing institutions to continue to meet the educational needs of military students and veterans. Perhaps most importantly, we should not lose sight of the ultimate objective of ensuring that the educational opportunities of America's military personnel, its Veterans, and their families are not compromised or diminished in any way, nor their associated expenses increased. Many of the solutions that we collectively seek are already part of the regulatory landscape in some form, and occasionally in multiple forms. There is relatively little need or justification for additional legislative initiatives in this regard, and to the extent that more clarity or rigor is needed, the Higher Education Reauthorization process will provide a timely and effective means for doing so.

In closing, like many institutions of higher education, American Public University System evolved from modest origins to its present standing through inspired leadership guided by a commitment to mission. The formula for its growth and the success of its students remains a university-wide determination to develop and deliver relevant academic programs to every military student and veteran who accepts the challenge of pursuing a higher education. Evidence of that determination is readily seen in the quality of our faculty, the accessibility of our learning platform, our extensive student support network, and more than 30,000 alumni including 8,000 who graduated this past May. We hope that the efforts of those students, those who preceded them and those who will follow them, and those of us who are committed to their success will be complemented by the efforts of this Committee. We welcome and appreciate your support to continue our founder's vision to "Educate Those Who Serve."



Exhibit 1

American Public University System Profile

University History

Marine Corp Major James Etter believed that the United States military was one of the world's best employers, committed to training and educating its service members. Many of the first degrees that AMU developed, such as Military Studies (Land Warfare, Naval Warfare, Air Warfare, Amphibious Warfare), Military History, National Security Studies, and Strategic Intelligence were designed to complement the training received from the respective services with theory and history, generally provided from professors who had served in the military. From the outset, AMU's faculty believed in the value of general education courses and a liberal arts education. In 1995, the university began to offer degree programs in liberal arts subjects such as English, Psychology, History, and Political Science that buttress the valuable lifetime skills of critical thinking.

Also in 1995, AMU earned national accreditation from the Accrediting Commission of the Distance Education and Training Council (DETC). Recognizing the impact that hidden costs of attending college had on students, in 1999 AMU instituted a commitment to fewer fees, transparency of all institutional costs of attendance, and provided a grant for textbooks to all undergraduate students who maintained a specified grade point average. Early in its history, AMU established the practice of recognizing and accepting American Council on Education (ACE) transfer credit recommendations based on its evaluation of learning associated with military training and experience. Like many working adults, members of the military have periods of work intensity with little time for educational. Beginning in 2001, AMU established monthly semester starts allowing its students to begin a semester whenever it was convenient for them professionally and/or personally. AMU subsequently increased its course offering flexibility for students by providing 8 week accelerated courses with the same content as the standard 16 week courses. Maximum class sizes were capped at 25 students in order to provide an environment where the learning connection between the faculty member and students was not compromised due to classes that were too large for effective online teaching.

By 2001, AMU had created a number of undergraduate and graduate level courses related to national security that enabled it to request accreditor approval for a degree in Homeland Security. Since that time and the subsequent events of 9/11, AMU has educated a generation of law enforcement, emergency management, first responders, and others in the field of Homeland Security.

In 2002, after ten years of growth and service to thousands of students, the American Public University System (APUS) was established, and AMU and a newly formed American Public University (APU) were designated as entities operating under the American Public University System. The APU brand extends the institution's outreach to better meet the needs of civilians interested in programs related to public service, such as criminal justice, public safety, and national security, as well as to respond to the needs of other adult learners interested in advancing their education through a robust, affordable online curriculum.

During the past twelve years of troop deployments to Iraq and Afghanistan, APUS has recognized the needs for students to take leaves of absences from their studies. Integrated into the routine for faculty and advisors, APUS allows students deployed in combat to return to their original degree program without having to accommodate any program related changes that may have occurred in the interim. Additionally, a week of faculty training is dedicated toward understanding the culture of compassion at APUS, a culture that provides for course extensions for soldiers dealing with

extensive combat exercises or for time off to grieve and attend a fallen comrade's funeral. In 2005, APUS faculty initiated an ongoing, multi-institution discussion group of academics related to recognizing and handling online students suffering from PTSD.

Because of its continuing interest in providing a more widely recognized and accepted degree for its students and alumni during an evolutionary period for distance learning, in 2003, APUS applied for affiliation with the Higher Learning Commission (HLC) of the North Central Association. In 2004, its candidacy status was confirmed and in 2006, APUS received the status of initial accreditation. In 2011, the university's accreditation was reaffirmed by the HLC for ten years, a not so frequently awarded term for a relatively young institution.

Military Leadership on the Board of Trustees

Vice Admiral Ann Rondeau

Admiral Rondeau's last active duty assignment was President, National Defense University. Serving in the Navy during dynamic years of transition, Rondeau served in leadership, staff and command assignments in mission areas such as fleet operations (anti-submarine warfare, air operations, operations, intelligence, maritime transportation and sealift), strategy and policy, policy planning, operations analysis, training and education, workforce development, and business enterprise. She was selected as a White House Fellow, Chief of Naval Operations Strategic Studies Group Fellow and is a life member of the Council of Foreign Relations.

General Alfred Gray

General Grey served as the 29th Commandant of the U.S. Marine Corps from 1987-91. As Commandant, General Gray assisted in the formulation of national and international policy, and strategy. He also served as a member of the Joint Chiefs of Staff, as well as being military advisor to the President, the National Security Council, the NSA Advisory Board and the Secretary of Defense. General Grey remains an active member of the Potomac Institute.

Major General Robert L. Nabors

Among his many military roles, General Nabors served as Deputy Commander of the White House Communications Agency in 1988; Commander of the 2nd Signal Brigade in Mannheim Germany, the largest Signal Brigade in the U.S. Army from 1990-1992, and Commanding General of the 5th Signal Command and Chief Information Officer (CIO) United States Army Europe 1995-1998.

Lieutenant General Richard G. Trefry

General Trefry served as the Inspector General of the U.S. Army for six years under three Chiefs of Staff and Secretaries of the Army. After retirement, General Trefry served in the White House as the Military Assistant to the President of the United States. He currently serves as a Senior Fellow for the Institute for Land Warfare in the Association of the U.S. Army. In 2009, the Secretary of the Army created the Lifetime of Service Award and awarded it to Lt. General Trefry. It is now named after him in honor of his service to the Army as a soldier and as a civilian.

These trustees, together with the many faculty and staff who work for the university in support of its students, bring with them an understanding of all branches of the service and a loyal relationship with the military. They also understand the practical nature of the assignments of students in specialized fields, such as intelligence studies and transportation and logistics, and

they continue to review requests from students and faculty for additional degrees related to their career and personal interests.

Key University Characteristics

APUS enrolls more military students and veterans than any other institution of higher education in America, due largely to the following:

- A rich mix of relevant courses of study available for monthly starts;
- An academically strong faculty;
- Dedicated support services;
- Affordable tuition and fees;
- A military-friendly policy of permitting students to request extra time to complete classes due to job, medical, or family commitments, allowing extensions of up to 180 days in certain cases;
- Classes that operate asynchronously. Provided that they complete their work by established deadlines, students are not required to login to their classrooms at specific times or on specific days. This allows them to attend class when their military duties permit, and it is time-zone friendly wherever they are stationed;
- ACE-based credit transfer policies that serve to reduce course redundancy, shorten the time to degree, and limit the expense to taxpayers for duplicated coursework

APUS has traditionally distributed “hard copy” books to deployed students whose location or logistics inhibit their ability to access e-books, and it will continue to identify ways in which to ensure that its students have ready access to all instructional materials. It has partnered with both the Army and Air Force in developing their automated centralized Tuition Assistance processes. In addition, when necessary, APUS has provided Tuition Assistance billing/payment arrangements for service members to prevent students from falling victim to disruptions in course attendance if no Department of Defense budget is in place at the end of the federal fiscal year.

University Outreach and External Engagement

APUS has established strong relationships with various federal organizations and agencies within the intelligence community, and also with professional organizations, such as the Association of Former Intelligence Officers (AFIO), the National Military Intelligence Association (NMIA), and the International Association of Law Enforcement Intelligence Analysts (IALEIA)

In addition, the university has entered into the following formal partnerships:

- American Society for Transportation & Logistics (AST&L): APUS is an educational partner and has been recognized by AST&L for our curriculum aligning with their professional industry certifications. The AST&L is the premier professional organization for transportation and logistics professionals and its certification programs are used throughout business, academia, and governments worldwide. Key certifications include: the CTL (Certified in Transportation and Logistics), Global Logistics Associate (GLA), the Professional Designation in Logistics and Supply Chain Management (PLS), and the Distinguished Logistics Professional (DLP).
- Association of Latino Professionals in Finance & Accounting (ALPFA): APUS is a preferred education partner with what is the largest Latino association for business professionals and students, with chapters nationwide and over 20,000 members.

- Federal Bureau of Investigation (FBI): APUS is a preferred education partner and a member of the FBI's University Education Program (UEP) available to more than 35,000 agents, analysts, and other professionals around the world.
- FBI National Academy (FBINA): AMU is a preferred education partner and provides top level Executive Law Enforcement training to leading state and local law enforcement officers. (It does not train FBI Special Agents).
- International Association of Emergency Managers (IAEM) :APUS has enjoyed a longtime relationship with IAEM, and it had the first online student chapter, which remains one of the largest and most active. IAEM is the largest professional organization in Emergency Management.
- Los Angeles Police Department (LAPD): APUS is a preferred education partner with the LAPD (which consists of over 13,000 personnel, more than 10,000 of whom are sworn officers), representing the third largest local law enforcement agency in the U.S.
- Major defense contractors: APUS is an educational partner with several of the top defense/federal contractors, including Booz Allen Hamilton, Science Applications International Corporation (SAIC), ManTech International, BAE Systems, Leidos Corporation, A-T Solutions, and many others.
- U.S. Hispanic Chamber of Commerce (USHOCC): APUS is an approved education partner for the USHOCC, an organization that actively promotes the economic growth and development of Hispanic entrepreneurs and represents the interests of over 3 million Hispanic-owned businesses throughout the United States, and that contribute in excess of \$465 billion to the American economy annually.

Below is a list of some of the other agencies and organizations with which APUS has established strategic connections. Note that the university has a number of working relationships within the Department of Homeland Security (e.g. Customs and Border Protection, Bureau of Intelligence Training, et.al.) that it cannot claim as formal partnerships or relationships due to CFR requirements addressing the parameters of public-private partnerships.

Law Enforcement

National Fraternal Order of Police
 Hispanic American Police Command Officers Association
 USMC Civilian Police Agency
 Los Angeles Sheriff's Department
 North Carolina Chiefs of Police Association
 California Chiefs of Police Association
 Maryland Chiefs of Police Association
 Maryland Sheriff's Association
 California POST Command School
 International Association of Crime Analysts
 International Association of Law Enforcement Intelligence Analysts
 Law Enforcement Intelligence Units
 Colorado Springs Police Department
 Wisconsin State Patrol
 West Virginia Chiefs of Police Association
 Regional Organized Crime Information Center
 Mid-West Organized Crime Information Center

Fire Service and Emergency Management

International Association of Fire Chiefs

International Association of Emergency Managers

Private/Corporate Security

American Society for Industrial Security Chief Security Officers Roundtable

FBI InfraGuard

Loss Prevention Foundation

International Society for Healthcare Safety and Security

National Security and Intelligence

International Association for Intelligence Education

Armed Forces Communication and Electronics Association

Intelligence and National Security Alliance

National Military Intelligence Association

Association of Former Intelligence Officers

United States Geospatial Intelligence Foundation

Lockheed-Martin Center for Security Analysis



Exhibit 2

Graduation Rates

American Public University System

Graduation Rates - 1994 to 2005

Academic Level	Student Type	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Master's	All	74.8%	66.4%	69.7%	68.7%	63.8%	68.0%	68.9%	67.8%	65.8%	68.1%	71.6%	72.4%
	Civilian	70.1%	63.3%	63.3%	70.2%	68.1%	77.6%	76.1%	72.6%	68.0%	68.1%	68.7%	69.3%
	Military	86.4%	72.7%	74.0%	70.0%	59.6%	63.9%	67.9%	61.9%	62.6%	67.3%	72.0%	74.2%
Bachelor's	Veteran	87.5%	61.5%	78.3%	83.3%	52.9%	33.3%	61.1%	72.7%	72.7%	78.3%	85.3%	84.5%
	All	-	100.0%	100.0%	100.0%	93.8%	65.0%	76.3%	68.5%	65.7%	60.6%	57.3%	54.1%
	Civilian	-	100.0%	100.0%	100.0%	100.0%	75.0%	83.7%	74.1%	72.1%	63.8%	63.0%	61.9%
Associate's	Military	-	-	-	100.0%	100.0%	40.0%	75.6%	63.2%	60.5%	56.8%	53.0%	50.3%
	Veteran	-	100.0%	-	100.0%	100.0%	66.7%	61.1%	69.6%	68.7%	66.9%	65.5%	63.4%
	All	-	-	-	-	0.0%	28.6%	38.5%	72.8%	71.5%	67.9%	57.2%	57.6%
	Civilian	-	-	-	-	0.0%	-	75.0%	91.4%	81.9%	70.0%	69.8%	76.3%
	Military	-	-	-	-	-	33.3%	28.6%	58.0%	60.4%	65.2%	52.9%	53.7%
	Veteran	-	-	-	-	-	50.0%	0.0%	80.0%	71.4%	85.7%	65.6%	63.3%

The 2003, 2004, and 2005 Bachelor's cohorts are still open and have students that may complete by the end of their 10-year timeframe.
9 transfer credits applied and 3 APUS course completions

APUS Graduation Rate Methodology

The APUS graduation rates are calculated for cohorts of students who started their program within a specific calendar year. In order for the students to be included in the graduation rates they have to have met the following criteria:

- Transferred in and had applied at least 9 credit hours
- Completed 3 courses (9 semester hours) as an undergraduate or graduate, at APUS
- Maintained a cumulative GPA at APUS of 2.0 for an undergraduate or 3.0 for a graduate

These cohorts are then required to complete their programs within the following timeframes in order to be categorized as "graduated":

- Associates - 7 years
- Bachelor's - 10 years
- Master's - 7 years

This definition is modeled after the definition that was constructed by the Education Working Group as part of the Service members Opportunity Colleges (SOC) contract managed by DANTES (Defense Activity for Non-Traditional Education Support) for the Department of Defense.

Exhibit 2

Page 1 of 1



Exhibit 3

Standards of Good Practice for Servicemembers Opportunity Colleges

Standards of Good Practice for Servicemembers Opportunity Colleges

1. Communications with military members are clear, comprehensive, and completely truthful. Specifically, an institutional representative:
 - a. provides information on program requirements, course descriptions, tuition and related costs, schedules, and course delivery formats prior to the collection of personal contact information;
 - b. provides accurate and complete information to prospective students on accreditation status and what programs are covered;
 - c. clearly and truthfully presents prospective students with the prospects for academic degree or credit acceptance;
 - d. accurately describes occupational opportunities for program graduates;
 - e. accurately describes any partnerships with military or government agencies or endorsements or testimonials used in promotional actions; and
 - f. provides *bona fide* scholarship information that is unambiguously separate and distinct from any federal monies.
2. Enrollment and recruitment policies are appropriate to a higher education institution. Specifically, an institution will be held accountable for all recruitment and enrollment actions whether conducted by staff, faculty, partners, or other third party agents acting on the institution's behalf. The institution should:
 - a. primarily emphasize educational programs and services in all advertisements, promotional literature, and recruiting activities;
 - b. develop and use promotional and recruitment materials and practices that are ethical in every respect toward military members; promotional materials should not have the capacity to mislead or coerce students into enrolling;
 - c. establish legitimate enrollment deadlines, and *bona fide* scholarships and grants based on published criteria, and refrain from promotional tuition discounts that do not serve the best interest of the military or its members;
 - d. refrain from exerting undue pressure to enroll through follow-up calls or other forms of personal contact;
 - e. refrain from marketing/recruiting practices in which ancillary technology devices (laptops, printers, electronic readers, etc.) are offered as inducements to enroll in an educational program. Any conditions for receiving such an inducement must be readily

achievable by the military student and must not pose significant financial hardship or undue burden for receipt;

- f. perform telemarketing in accordance with the Federal Trade Commission and other state and federal regulations; and
 - g. follow Department of Defense and military service guidance governing installation access and the use of retiree/dependent ID cards; retiree/dependent ID cards should not be used to gain base access for business purposes. All education-related activities on an installation or at an armory should be routed through the education center or Education Services Officer for authorization.
3. Fees charged to military members are clear and do not give a false, or misleading impression about the costs to either the military member or the military service. Specifically, an institution:
- a. provides prospective students with a clear understanding of the total financial obligation they have undertaken by engaging in specific academic pursuits. Information provided in catalogs, Web sites, and other media outlets should include the following minimum, clearly defined, financial information: cost of admissions, tuition (including the cost of instruction and associated fees), all mandatory fees, and the estimated cost of instructional materials;
 - b. agrees that the total cost of a program is the same for military members as that charged to any other student, except for legitimate military enrollment discounts that may apply;
 - c. applies military discounts to all servicemembers uniformly and equitably without restrictions unless further defined by specific contract requirements;
 - d. avoids the words “free” or “at no cost” to describe any item or service that is regularly included as a part of the institution’s program or services. These words should not be used to describe educational funding paid for with Department of Defense tuition assistance or Department of Veterans Affairs educational benefits due to the student obligation for government reimbursement in the event of unsuccessful course completion. The word “guarantee” is not used at all in promotional literature;
 - e. makes clear through a full explanation of what an electronic signature and online enrollment mean and the commitments they represent. There are personnel support and resources available for students who are unsure of what they may be signing and require additional explanation;
 - f. refrains from compensating or offering significant incentives or products to military members for providing referrals or directly influencing military students to attend a specific school; and

- g. confirms that students have read and acknowledged their personal financial obligations and refund protections before they submit their registration.
4. Admissions policies and practices ensure appropriate academic screening and proper placement in courses and programs. Specifically, an institution:
 - a. clearly states if any course or program prerequisites are needed for successful assimilation of the academic materials;
 - b. determines that students have the qualifications necessary to successfully enroll in a course or program, including most commonly a high school diploma or legitimate equivalent;
 - c. avoids an automatic renewal or continuous enrollment process with any courses or programs; and
 - d. clearly states a cooling-off or withdrawal period in which the student incurs no financial obligation for course enrollment.
 5. Among the student services provided, there is a clearly defined process that includes a point-of-contact and a phone number for military/veteran students to communicate grievances and/or to discuss enrollment, instruction, and student service concerns/issues.
 6. For institutions for which they apply, adhere to the **Title 16 Commercial Practices requirements in Chapter I – FEDERAL TRADE COMMISSION, – Part 254**. For-profit institutions should adhere to those standards when providing education courses and programs to servicemembers.
 7. In addition, the **spirit of TITLE 16 – Commercial Practices, CHAPTER I – SUBCHAPTER D – Part 429** – “rule concerning a cooling-off period for sales...” applies to SOC Standards of Good Practice regarding financial commitments for academic coursework or programs. In terms of a cooling off period for financial/business transactions with servicemembers:
 - a. There should be a clearly stated period after enrollment in coursework or an academic program during which a student may withdraw the commitment and all financial liability. Said withdrawal period should comply with established state regulations.
 - b. The process for withdrawal from the commitment must be communicated clearly and plainly, in writing, without any misrepresentation.
 - c. The institution is required to establish and honor a formal, printed prorated tuition refund policy that is consistent with its drop/add policies for students who withdraw from course enrollment after the 100% financial refund deadline.



Exhibit 4

Federal Register Vol 78, No. 157 Military MOU

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(k) Related Information

(1) For more information about this AD, contact Suzanne Lucier, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: 425-917-6436; fax: 425-917-6590; email: suzanne.lucier@faa.gov.

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H-65, Seattle, WA 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet <https://www.myboeingfleet.com>. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

Issued in Renton, Washington, on August 6, 2013.

Jeffrey E. Duven,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 58

[Docket No. DOD-2013-OS-0093]

RIN 0790-AJ06

Voluntary Education Programs

AGENCY: Office of the Under Secretary of Defense for Personnel and Readiness, DoD.

ACTION: Proposed rule.

SUMMARY: In this proposed rule, the Department of Defense (DoD) discusses new policy, responsibilities, and procedures for the operation of voluntary education programs within DoD. The new policies discussed in the rule include the following.

All educational institutions providing education programs through the DoD Tuition Assistance (TA) Program will provide meaningful information to students about the financial cost and attendance at an institution so military students can make informed decisions on where to attend school; not use unfair, deceptive, and abusive recruiting

practices; and provide academic and student support services to Service members and their families. New criteria are created to strengthen existing procedures for access to military installations by educational institutions. An annual review and notification process is required if there are changes made to the uniform semester-hour (or equivalent) TA caps and annual TA ceilings. Military Departments will be required to provide their Service members with a joint services transcript (JST). The DoD Postsecondary Education Complaint System is implemented for Service members, spouses, and adult family members to register student complaints. The Military Departments are authorized to establish Service-specific TA eligibility criteria and management controls.

DATES: Comments must be received by September 30, 2013.

FOR FURTHER INFORMATION CONTACT: For general information concerning DoD Voluntary Education Programs, send a written inquiry to Ms. Carolyn Baker, at the Office of the Under Secretary of Defense (Personnel & Readiness), Military Community & Family Policy, State Liaison and Educational Opportunities, 4800 Mark Center Drive, Suite 14E08, Alexandria, Virginia 22350-2300 (Phone: 571-372-5355 or email: carolyn.baker@osd.mil).

SUPPLEMENTARY INFORMATION:

Executive Summary

This proposed rule implements Voluntary Education Programs for Military Service members. This rule includes educational programs that enable Service members to earn a degree on their off-duty time. Congress has held that men and women serving in the Armed Forces should have at least the same opportunity to advance academically as do civilians who remain outside the military.

Funding for Voluntary Education Programs is authorized by law and is subject to the availability of funds from each Service. Voluntary education programs include tuition assistance (TA) (per 10 U.S.C. 2007), which is administered uniformly across the Services. Subject to appropriations, each Service pays no more than \$250.00 per semester-unit (or equivalent) for tuition. Each Service member participating in off-duty, voluntary education is eligible for up to \$4,500.00, in aggregate, for each fiscal year. TA can only be used for courses offered by postsecondary institutions accredited by a national or regional accrediting body recognized by the U.S. Department of Education.

A March 2011 Government Accountability Office report on the DoD TA program recommended the Department take steps to enhance its oversight of schools receiving TA funds (available at <http://www.gao.gov/new.items/d11300.pdf>). As a result, a DoD Memorandum of Understanding (MOU) requirement was included in this rule, which is designated not only to improve Departmental oversight but also to account for our Service members' unique lifestyle requirements. The purpose of the DoD MOU is to establish a partnership between the Department and institutions to improve educational opportunities while protecting the integrity of each institution's core educational values. This partnership serves to ensure a quality, viable program exists that provides for our Service members to realize their educational goals, while allowing for judicious oversight of taxpayer dollars.

Background

The purpose of voluntary education programs is to provide active duty Service members with opportunities to enhance their academic achievement which in turn improves job performance and promotion potential. A final rule for DoD's Voluntary Education Programs was published in the **Federal Register** on December 6, 2012 (77 FR 72941-72956). The rule established the new requirement for a standardized memorandum of understanding (MOU) between DoD and the Institutions of Higher Learning (IHLs) prior to participating in DoD Voluntary Education Programs, such as the military tuition assistance program. As of June 25, 2013, 3,155 IHLs with a total of 4,180 sub-campuses have signed the DoD MOU.

This new proposed rule includes requirements stated in the President's Executive Order 13607, "*Establishing Principles of Excellence for Educational Institutions Servicing Service Members, Veterans, Spouses, and Other Family Members*", signed April 27, 2012 (available at <http://www.gpo.gov/fdsys/pkg/FR-2012-05-02/pdf/2012-10715.pdf>). In implementing the E.O., three interagency working groups were established (information, compliance, and report), along with an aggressive timeline to ensure that the policies take effect as soon as possible. The E.O. directed DoD to coordinate with the Departments of Veterans Affairs and Education, and in consultation with the Department of Justice and the Consumer Financial Protection Bureau, to implement and promote compliance with the principles stated in the E.O. Several of these principles were covered

in the previous 2012 final rule; the remaining principles are now included in this proposed rule. The President requested the principles be implemented for school year 2013–2014.

New requirements covered in the proposed rule include:

(1) Require all educational institutions providing education programs through the DoD Tuition Assistance (TA) Program:

(a) Will provide meaningful information to students about the financial cost and attendance at an institution so military students can make informed decisions on where to attend school.

(b) Will not use unfair, deceptive, and abusive recruiting practices.

(c) Will provide academic and student support services to Service members and their families.

(2) Implement rules to strengthen existing procedures for access to military installations by educational institutions.

(3) Require DoD to conduct an annual review and notification process is required if there are changes made to the uniform semester-hour (or equivalent) TA caps and annual TA ceilings.

(4) Require the Military Departments to provide their Service members with a joint services transcript (JST).

(5) Implement the DoD Postsecondary Education Complaint System for Service members, spouses, and adult family members to register student complaints.

(6) Authorize the Military Departments to establish Service-specific TA eligibility criteria and management controls.

Regulatory Procedures

Executive Order 12866, "Regulatory Planning and Review" and Executive Order 13563, "Improving Regulation and Regulatory Review"

It has been certified that 32 CFR part 68 is an economically significant regulatory action. The rule has an annual effect on the economy of \$100 million or more.

The rule does not:

(1) Adversely affect in a material way the economy; a section of the economy; productivity; competition; jobs; the environment; public health or safety; or State, local, or tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another Agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in these Executive Orders.

Funding for Voluntary Education
Programs is authorized by law and is subject to the availability of funds from each Service. Voluntary education programs include tuition assistance (per section 2007 of title 10, United States Code), which is administered uniformly across the Services. Each Service pays no more than \$250.00 per semester-unit (or equivalent) for tuition. Each Service member participating in off-duty, voluntary education is authorized up to \$4,500.00, in aggregate, for each fiscal year. As per the National Defense Authorization Act (NDAA) FY08, each of the Services may also provide TA to activated Service members of the Selected Reserves and Individual Ready Reserve. Tuition assistance costs for Service members participating in high school completion and accredited undergraduate or graduate education programs totaled approximately \$562 million in FY11 and approximately \$568 million in FY12. During FY11, 325,324 Service members received TA for 866,788 courses. During FY12, 286,665 Service members received TA for 874,094 courses. A total of 45,220 degrees/diplomas/certificates were earned in FY11 and 50,497 in FY12. Operational costs totaled approximately \$102 million in FY11 and \$92 million in FY12. Operational costs for DoD Voluntary Education Programs include such items as salaries, TDY, training, supplies, and equipment.

Funding for the new E.O. 13607 requirement to establish a DoD complaint system for students receiving Federal military educational benefits, such as military tuition assistance, included approximately \$13,500 for the estimated labor cost to DoD and approximately \$400,000 to build the system.

Congressional Review Act, 5 U.S.C. 801

We estimate that this rulemaking is "economically significant" as measured by the \$100 million threshold and, hence, also a major rule under the Congressional Review Act. Accordingly, we have prepared a regulatory impact analysis that, to the best of our ability, presents the costs and benefits of the rulemaking.

Section 202, Public Law 104–4, "Unfunded Mandates Reform Act"

It has been certified that 32 CFR part 68 does not contain a Federal mandate that may result in expenditure by State, local and tribal governments, in

aggregate, or by the private sector, of \$100 million or more in any one year.

Public Law 96–354, "Regulatory Flexibility Act" (5 U.S.C. 601)

It has been certified that 32 CFR part 68 is not subject to the Regulatory Flexibility Act (5 U.S.C. 601) because it would not, if promulgated, have a significant economic impact on a substantial number of small entities. The rule updates policy and procedures for the voluntary education programs within DoD for Service members and their adult eligible family members. Guidance on voluntary education programs is available through the Education Centers located on military installations.

Public Law 96–511, "Paperwork Reduction Act"

It has been certified that 32 CFR part 68 does impose reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995. The requirements for the new student complaint system were submitted to the Office of Management and Budget and approved under OMB Control Number 0704–0501, "Postsecondary Education Complaint Intake System." While DoD believes that the collection instrument and burden numbers will not change, DoD welcomes additional comments on this collection of information.

Section 68.1(c)(5) of this proposed rule contains information collection requirements. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of DoD, including whether the information will have practical utility; (b) the accuracy of the estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including the use of automated collection techniques or other forms of information technology.

Title: Postsecondary Education Complaint Intake System.

Type of Request: New.

Number of Respondents: 100.

Responses per Respondent: 1.

Annual Responses: 100.

Average Burden per Response: 10 minutes.

Annual Burden Hours: 17 hours.

Needs and Uses: The information collection requirement is necessary to obtain, document, and respond to complaints, questions, and other information concerning postsecondary education and services provided to military students, veterans, and their

adult family members. The President's Executive Order 13607, signed on April 27, 2012, calls for the creation of a robust, centralized complaint process for students receiving Federal military and veterans' educational benefits. The web based intake documents information electronically such as the level of study of the student, school the student is attending, type of education benefits being used, branch of the military service, substance of the complaint or issue, and preferred contact information for the person making the complaint.

Affected Public: Individuals and households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

OMB Desk Officer: Written comments and recommendations on the proposed information collection should be sent to Ms. Jasmeet Seehra at the Office of Management and Budget, DoD Desk Officer, Room 10102, New Executive Office Building, Washington, DC 20503, with a copy to Ms. Carolyn Baker, at the Office of the Under Secretary of Defense (Personnel & Readiness), Military Community & Family Policy, State Liaison and Educational Opportunities, 4800 Mark Center Drive, Suite 14E08, Alexandria, Virginia 22350-2300. Comments to OMB will be most useful if received by OMB within 30 days after the date of this notice.

You may also submit comments, identified by docket number and title, by the following method:

* *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Ms. Carolyn Baker, at the Office of the Under Secretary of Defense (Personnel & Readiness), Military Community & Family Policy, State Liaison and Educational Opportunities, 4800 Mark Center Drive, Suite 14E08, Alexandria, Virginia 22350-2300, or call Ms. Baker at 571-372-5355.

Executive Order 13132, "Federalism"

It has been certified that 32 CFR part 68 does not have federalism implications, as set forth in Executive Order 13132. This rule does not have substantial direct effects on:

- (1) The States;
- (2) The relationship between the National Government and the States; or
- (3) The distribution of power and responsibilities among the various levels of Government.

List of Subjects in 32 CFR Part 68

Adult education, Armed forces, Colleges and universities, Education, Educational study programs, Government contracts, Military personnel, Student aid.

Accordingly, 32 CFR part 68 is proposed to be revised to read as follows:

PART 68—VOLUNTARY EDUCATION PROGRAMS

- Sec.
- 68.1 Purpose.
 - 68.2 Applicability.
 - 68.3 Definitions.
 - 68.4 Policy.
 - 68.5 Responsibilities.
 - 68.6 Procedures.
- Appendix A to Part 68—DoD Voluntary Education Partnership Memorandum of Understanding (MOU) Between DoD Office of the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) and [Name of Educational Institution]
- Appendix B to Part 68—Addendum for Education Services Between [Name of Educational Institution] and the U.S. Air Force (USAF)
- Appendix C to Part 68—Addendum for Education Services Between [Name of Educational Institution] AND THE U.S. Army
- Appendix D to Part 68—Addendum for Education Services Between [Name of Educational Institution] and the U.S. Marine Corps
- Appendix E to Part 68—Addendum for Education Services Between [Name of Educational Institution] and the U.S. Navy
- Authority: 10 U.S.C. 2005, 2007.

§ 68.1 Purpose.

This part:

- (a) Implements policy, assigns responsibilities, and prescribes procedures for the operation of voluntary education programs in the DoD.
- (b) Establishes policy stating the eligibility criteria for tuition assistance (TA) and the requirement for a

memorandum of understanding (MOU) from all educational institutions providing educational programs through the DoD TA Program.

(c) Establishes new policy that:

- (1) All educational institutions providing education programs through the DoD Tuition Assistance (TA) Program:
 - (i) Will provide meaningful information to students about the financial cost and attendance at an institution so military students can make informed decisions on where to attend school.
 - (ii) Will not use unfair, deceptive, and abusive recruiting practices.
 - (iii) Will provide academic and student support services to Service members and their families.
- (2) Creates rules to strengthen existing procedures for access to military installations by educational institutions.
- (3) Requires an annual review and notification process of uniform semester-hour (or equivalent) TA caps and annual TA ceilings.
- (4) Requires the Military Departments to provide their Service members with a joint services transcript (JST).
- (5) Implements the DoD Postsecondary Education Complaint System for Service members, spouses, and adult family members to register student complaints.
- (6) Authorizes the Military Departments to establish Service-specific TA eligibility criteria and management controls.
- (d) Establishes the Interservice Voluntary Education Board.

§ 68.2 Applicability.

This part applies to the Office of the Secretary of Defense, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the DoD, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this part as the "DoD Components").

§ 68.3 Definitions.

The following terms and their definitions are for the purpose of this part:

Academic. Relating to education, educational studies, an educational institution, or the educational system.

Academic institution. A college, university, or other postsecondary educational institution of higher education.

Academic institution representative. An employee of the academic institution.

Academic skills. Competencies in English, reading, writing, speaking, mathematics, and computer skills that are essential to successful job performance and new learning. Also referred to as functional or basic skills.

Active Guard and Reserve (AGR). National Guard or Reserve members of the Selected Reserve (SELRES) who are ordered to active duty or full-time National Guard duty for a period of 180 consecutive days or more for the purpose of organizing, administering, recruiting, instructing, or training the Reserve Component units or duties as prescribed in 10 U.S.C. 12310. All AGR members must be assigned against an authorized mobilization position in the unit they support. (Includes Navy full-time support (FTS), Marine Corps Active Reserve (ARs), and Coast Guard Reserve Personnel Administrators (RPAs)).

American Council on Education. The major coordinating body for all of the Nation's higher education institutions. Seeks to provide leadership and a unifying voice on key higher education issues and publishes the "Guide to the Evaluation of Educational Experiences in the Armed Services."

Annual TA Ceiling. The maximum dollar amount authorized for each Service member for TA per fiscal year. Each Service member participating in off-duty voluntary education programs will be entitled to the full amount authorized each fiscal year in accordance with DoD policy.

Army/American Council on Education Registry Transcript System. An automated official document generated by the Army/ACE Registry Transcript System which can be sent directly from the Army American Council on Education Registry Transcript System Center to the educational institution to articulate a soldier's military experience and training and the American Council on Education-recommended college credit for this training and experience. The Army/ACE Registry Transcript System is incorporated in the joint services transcript.

Degree requirements. A planning document provided by the educational institution that outlines general required courses to complete an educational program. The planning document presents the general education and major-related course requirements, degree competencies (e.g., foreign language, computer literacy), and elective course options that students may choose for specified program of study.

Education advisor. A professionally qualified, subject matter expert or

program manager in the Education Services Series 1740 at the installation education center. The following position titles may also be used for an education advisor: Education Services Specialist, Education Services Officer (ESO), Voluntary Education Director, Navy College Office Director, and Education and Training Section (ETS) Chief.

Education center. A military installation facility, including office space, classrooms, laboratories, and other features, that is staffed with professionally qualified personnel and to conduct voluntary education programs. For Navy, this is termed the "Navy College Office."

Educational plan. A planning document provided by the educational institution that outlines general degree requirements for graduation. Typically an educational plan presents the general education and major-related course requirements, degree competencies (e.g., foreign language, computer literacy), and elective course options that students may choose for a specified program of study. This document is required from the institution prior to the enrollment of the Service member at the institution.

Eligible adult family member. The adult family member, over the age of 18, of an active duty, Reserve, National Guardsman, or DoD civilian with a valid DoD identification card.

Evaluated educational plan. An official academic document provided by the educational institution that:

(1) Articulates all degree requirements required for degree completion or in the case of a non-degree program, all educational requirements for completion of the program;

(2) Identifies all courses required for graduation in the individual's intended academic discipline and level of postsecondary study; and

(3) Includes an evaluation of all successfully completed prior coursework, and evaluated credit for military training and experience, and other credit sources applied to the institutional degree requirements. At a minimum, the evaluated education plan will identify required courses, College Level Examination Program, and DSST (formally known as the DANTES Subject Standardized Tests) Program, and potential American Council on Education recommended college credits for training and experiences, which are applicable to courses study leading to a degree. Education advisors will assist Service members in developing their education plan for final approval by the educational institution. For participating SOC Degree Network

System institutions, SOC Army Degrees, SOC Navy Degrees, SOC Marine Corps Degrees, or SOC Coast Guard Degrees Student Agreement serves as this documented educational plan.

Individual Ready Reserve (IRR). A manpower pool consisting principally of individuals who have had training, have previously served in the Active Component or in the SELRES, and have some period of their military service obligation or other contractual obligation remaining. Some individuals volunteer to remain in the IRR beyond their military service or contractual obligation and participate in programs providing a variety of professional assignments and opportunities for earning retirement points and military benefits.

Joint services transcript. An official education transcript tool for documenting the recommended ACE college credits for a variety of professional military education, training courses, and occupational experience of Service members across the Services. The joint services transcript incorporates data from documents such as the Army/ACE Registry Transcript System, the Sailor/Marine ACE Registry Transcript System, the Community College of the Air Force transcript, and the Coast Guard Institute transcript.

Needs assessment. A process used to determine the staffing requirements, course offerings, size of facilities, funding, or other standards for delivery of educational programs.

Off-duty. Time when the Service member is not scheduled to perform official duties.

Ready Reserve. Composed of military members of the Reserve and National Guard, organized in units or as individuals, or both, and liable for involuntary order to active duty in time of war or national emergency pursuant to 10 U.S.C. 12310 and 12301 and 14 U.S.C. 712 in the case of members of the Coast Guard Reserve. The Ready Reserve consists of the SELRES, the IRR, and the Inactive National Guard.

Sailor/Marine American Council on Education Registry Transcript System. An automated official document generated by the Sailor/Marine American Council on Education Registry Transcript System, which can be sent directly from the Sailor/Marine ACE Registry Transcript System Operations Center to the educational institution to articulate a Sailor's or Marine's military experience and training and the American Council on Education recommended college credit for this training and experience. The Sailor/Marine ACE Registry Transcript

System is incorporated in the joint services transcript.

Semester-hour TA cap. The maximum dollar amount authorized for TA per semester-hour (or equivalent) credit. A Service will pay no more than the established DoD cap per semester-unit (or equivalent) for tuition.

SOC or Servicemembers Opportunity Colleges. A consortium of over 1,800 colleges and universities, created in 1972 that seeks to enhance the educational opportunities to Service members who may have difficulty in completing college programs due to frequent military moves.

TA or tuition assistance. Funds provided by the Military Services or U.S. Coast Guard to pay a percentage of the charges of an educational institution for the tuition of an active duty, Reserve or National Guard member of the Military Services, or Coast Guard member, enrolled in approved courses of study during off-duty time.

Third Party Education Assessment. A third-party evaluation of voluntary education programs covered by the DoD Voluntary Education Partnership MOU.

Top-Up. An option, under chapter 30 of the Montgomery G.I. Bill and Post-9/11 G.I. Bill, that enables active duty Service members to receive from the VA those tuition costs that exceed or are not authorized in the amount of TA provided to the Service member by his or her Service. The G.I. Bill entitlement is charged differently depending on which G.I. Bill program a Service member uses. The Montgomery G.I. Bill entitlement is charged based on the dollar amount of benefits VA pays to the individual. The Service member will be charged one month of entitlement for each payment received that is equal to the full-time monthly rate for the G.I. Bill. The Post-9/11 entitlement is charged based on the enrolled amount of time. If a Service member is attending classes part-time or at the ½ time level, the charge is ½ month of Post-9/11 G.I. Bill benefits for each month enrolled and receiving G.I. benefits.

Troops-to-Teachers program (TTT). A Department of Education program administered by the DoD to help recruit quality teachers for schools that serve low-income families throughout America. TTT helps relieve teacher shortages, especially in math, science, special education, and other high-needs subject areas, and assists military personnel in making successful transitions to second careers in teaching.

Voluntary education programs. Continuing, adult, or postsecondary education programs of study that Service members elect to participate in

during their off-duty time, and that are available to other members of the military community.

§ 68.4 Policy.

It is DoD policy, consistent with DoD Directive 1322.08E, "Voluntary Education Programs for Military Personnel" (available at <http://www.dtic.mil/whs/directives/corres/pdf/132208p.pdf>), that:

(a) Members of the Military Services serving on active duty and members of the Selected Reserve (SELRES) will be afforded the opportunity to complete their high school education through a state-funded or Service component sponsored program; earn an equivalency diploma, improve their academic skills or level of literacy, enroll in career and technical education schools, receive college credit for military training and experience in accordance with the American Council on Education (ACE) Guide to the Evaluation of Educational Experiences in the Armed Services (available at <http://www.acenet.edu/news-room/Pages/Military-Guide-Online.aspx>), take tests to earn college credit, and enroll in postsecondary education programs that lead to industry-recognized credentials, and undergraduate and graduate degrees.

(b) On an annual basis, the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), in coordination with the Military Departments no later than the end of second quarter of the current fiscal year, will review the uniform semester-hour (or equivalent) TA caps and annual TA ceilings to determine possible changes for the upcoming year. If there are any changes in the uniform semester-hour (or equivalent) caps and annual TA ceilings, a memorandum will be released from the USD(P&R), in coordination with the Military Departments, and a corresponding notice will be published in the **Federal Register**. Service members' costs to participate in the DoD Voluntary Education Program as authorized by 10 U.S.C. 2007, will be reduced through financial support, including TA that is administered uniformly across the Military Services.

(c) Information and professional adult academic education counseling about voluntary education programs will be readily available and easy to access so that Service members can make informed decisions concerning educational opportunities available. Education counseling will be provided by qualified professional (Education Services Series 1740 or individual with equivalent qualifications) individuals in sufficient numbers to operate voluntary

education programs as determined by individual Service standards.

(d) In accordance with Executive Order (E.O.) 13607,

(1) Educational institutions receiving funding from Federal military educational benefits programs, such as the DoD TA Program, will:

(i) Provide meaningful information to students on the financial cost and attendance at an educational institution so military students can make informed decisions on where to attend school.

(ii) Prevent unfair, deceptive, and abusive recruiting practices that target Service members.

(iii) Provide academic and student support services specific to the institutions' programs to all Service members, spouses and adult family members.

(2) DoD will implement a complaint system for Service members, spouses, and adult family members that will register, track, and respond to student complaints on-line. Educational institutions that have an MOU with DoD with reoccurring complaints or an unwillingness to resolve complaints will be removed from the DoD MOU Participating Institutions list and will not be authorized to participate in the DoD TA Program.

(e) Institutions accredited by a national or regional accrediting agency recognized by the U.S. Department of Education (ED) will be encouraged to provide degree programs on military installations and the Military Services will facilitate their operations on the installations referred to in paragraph (c) of § 68.6.

(f) To the extent that space is otherwise available, eligible adult family members of Service members, DoD civilian employees and their eligible adult family members, and military retirees may enroll in postsecondary education programs offered on a military installation at no cost to the individual Service TA programs.

§ 68.5 Responsibilities.

(a) The USD(P&R):

(1) Monitors implementation of and ensures compliance with this part and DoD Directive 1322.08E.

(2) Establishes rates of tuition assistance (TA) and ensures uniformity across the Military Services as required by DoD Directive 1322.08E and this part. The uniform semester-hour (or equivalent) TA caps and annual TA ceilings will be reviewed annually and if changed, a memorandum from the USD(P&R) will be released following coordination with each of the Military Departments. Additionally, if the

uniform TA rates are changed, a notice will be published in the **Federal Register** at approximately the start of the fiscal year.

(3) Establishes, under the provisions of DoD Instruction 5105.18, "DoD Intergovernmental and Intragovernmental Committee Management Program" (available at <http://www.dtic.mil/whs/directives/corres/pdf/510518p.pdf>), the Interservice Voluntary Education Board, which will be composed of full-time or permanent part-time federal employees.

(4) Maintains a program to assess the effectiveness of the voluntary education programs.

(5) Issues written supplemental guidance annually for the funding and operation of the Defense Activity for Non-Traditional Education Support (DANTES) for those items not reflected in paragraph (f) of § 68.6.

(b) The Assistant Secretary of Defense for Readiness and Force Management (ASD(R&FM)), under the authority, direction, and control of the USD(P&R) will:

(1) Provide administrative assistance to the Deputy Assistant Secretary of Defense for Military Community and Family Policy (DASD(MCFP)), in support of the voluntary education programs.

(2) Respond to matters that are referred by the DASD(MCFP).

(c) The DASD(MCFP), under the authority, direction, and control of the ASD(R&FM), will:

(1) Monitor compliance with this part and DoD Directive 1322.08E and related issuances by personnel under his or her authority, direction, and control.

(2) Oversee the DoD Voluntary Education Program.

(3) Provide ongoing and routine clarifying guidance for the DoD Voluntary Education Program.

(4) Provide representatives to professional education and cross-agency panels addressing issues impacting the DoD Voluntary Education Program, its regulatory scope, clientele, and partners.

(5) Designate the Voluntary Education Chief within the Office of the DASD(MCFP) as the Chair of the Interservice Voluntary Education Board and oversee implementation of Board and DANTES procedures as detailed in § 68.6 of this part.

(6) Oversee the DoD Postsecondary Education Complaint System through which Service members, spouses, and adult family members receiving Federal military and veterans educational benefits can register on-line complaints that will be tracked and responded to by the Departments of Defense, Veterans Affairs, Justice, and Education, the

Consumer Finance Protection Bureau, and other relevant agencies. The DoD Postsecondary Education Complaint System is Web-based and accessible online at <https://afaems.langley.af.mil/vemis/DoD.Postsecondary.ED.Complaint.System>.

This complaint system contains the uniform procedures for the processing of the complaint intake form (DD Form 2961, DoD Postsecondary Education Complaint Intake).

(7) Oversee the Third-Party Education Assessment, which is a third party review process to assess the quality, delivery, and coordination of the voluntary education programs provided to military personnel on the installation, in the community, and via distance learning (DL). It assists in improving the quality of the delivery of these programs through recommendation to institutions, installations, and the Military Services.

(i) DASD(MCFP) will monitor actions by the Military Services to resolve recommendations for improvement identified on the respective Military Service's installation during the Third Party Education Assessment.

(ii) DASD(MCFP) will monitor actions provided to the DoD Voluntary Education Chief by institutions operating off the military installation or via DL to resolve recommendations for improvement identified during Third Party Education Assessments. These institutions will provide corrective actions taken within 6 months of the assessment to the DoD Voluntary Education Chief. In instances when the issue cannot be resolved within the 6 month timeframe, the institution will submit a status report every 3 months to the DoD Voluntary Education Chief until the recommendation is resolved.

(8) Prepare written supplemental guidance annually for USD(P&R) regarding the funding and operation of DANTES for those items not reflected in paragraph (f) of § 68.6.

(9) Oversee the policy of the joint services transcript (JST).

(d) The Assistant Secretary of Defense for Reserve Affairs (ASD(RA)), under the authority, direction, and control of the USD(P&R), will:

(1) Monitor compliance with this part and DoD Directive 1322.08E and related issuances by personnel under his or her authority, direction, and control.

(2) Appoint a representative to serve on the Interservice Voluntary Education Board.

(3) Arrange the assignment of, on a rotating basis, a field grade officer, to serve as the Reserve Component Advisor to the Voluntary Education Chief and a representative on the Interservice Voluntary Education Board.

(e) The Secretaries of the Military Departments will:

(1) Monitor compliance with this part and DoD Directive 1322.08E and related issuances by personnel under their respective authority, direction, and control.

(2) Establish, maintain, coordinate, and operate voluntary education programs that encompass a broad range of educational experiences including, but not limited to, academic skills development, high school completion programs, vocational programs, career and technical programs, and programs leading to the award of undergraduate and graduate degrees.

(3) Require that sufficient funding is available to provide Service members with TA support consistent with the requirements in § 68.6 and appendices A, B, C, D, and E to this part.

(4) Require that educational counseling is available to Service members so they will have sufficient information and guidance to plan an appropriate program of study. Educational counseling will be provided by qualified professional (Education Services Series 1740 or individual with equivalent qualifications) individuals.

(5) Require that voluntary education programs participate in the DoD established third-party review process entitled the Third Party Education Assessment.

(i) Within 6 months following the Third Party Education Assessment on their installation, the responsible Military Service will resolve recommendations received as a result of the assessment and provide the resolutions to the DoD Voluntary Education Chief. In instances when the issue cannot be resolved within the 6 month timeframe, the Military Service will submit a status report every 3 months to the DoD Voluntary Education Chief until the recommendation is resolved.

(ii) If the recommendation(s) requires involvement of an institution operating on their respective installation, the Military Service will coordinate the submission of corrective actions taken by institution(s) through the appropriate Education Advisor, and forward through their respective Military Service leadership to the DoD Voluntary Education Chief.

(iii) Waivers to the Third Party Education Assessment must be submitted to and approved by the DoD Voluntary Education Chief.

(6) Provide one representative to serve on the Interservice Voluntary Education Board responsible for their Services' voluntary education policy from each of the following Military Services: Army,

Navy, Air Force, and Marine Corps. Each Service representative's membership will be on a permanent basis and changed only when their voluntary education policy position is changed.

(7) Assign, on a rotating basis, a senior enlisted Service member in the military pay grade E-9 to serve as the DANTES enlisted advisor.

(8) Assign, on a rotating basis, a field-grade officer to serve as the DANTES RC advisor.

(9) Require that military test control officers and test centers comply with the guidance and procedures published in the DANTES Examination Program Handbook, available at http://www.dantes.doded.mil/Programs/Docs/DEPH_part1.pdf.

(10) Require that personnel who provide counseling, advice, and program management related to voluntary education programs have access to the DoD Voluntary Education homepage and other Web sites so they can provide current and accurate information to Service members.

(11) Provide opportunities for Service members to access the Internet, where available, to enroll in and complete postsecondary courses that are part of their approved educational plan leading to an educational goal.

(12) Submit requested quarterly and annual information for the Voluntary Education Management Information System (VEMIS) by the 20th day of the month after the end of each fiscal quarter for the quarterly reports and November 15th each year for the annual report. Reporting information includes, but is not limited to voluntary education program data on enrollments, participation, and costs.

(13) Respond to and resolve Service-specific student complaints received and managed through the DoD Postsecondary Education Complaint System.

(14) Provide Service members with a JST. At a minimum, the JST will include documented military student data, courses, and military occupations evaluated by ACE, including descriptions, learning outcomes and equivalent college credit recommendations, as well as national college-level exam results. The Air Force will continue to use the Community College of the Air Force (CCAF) to document airmen's academic and military credit.

(f) *Secretary of the Navy.* The Secretary of the Navy, as the DoD Executive Agent (DoD EA) for DANTES pursuant to DoD Directive 1322.08E and DoD Directive 5101.1, "DoD Executive Agent" (available at <http://www.dtic.mil/whs/directives/corres/pdf/510101p.pdf>), and in addition to the responsibilities in this section, will:

(1) Transmit supplemental annual guidance issued by the USD(P&R) to DANTES for those items not reflected in paragraph (f) of this section.

(2) Require that the Director, DANTES, provide updates on DANTES plans, operations, and activities to the USD(P&R).

(3) Through its civilian personnel system, advertise the position of Director, DANTES, when the position is vacated and appoint the Director, DANTES, in accordance with the procedures outlined in § 68.6.

§ 68.6 Procedures.

(a) *TA for Service members participating in education programs.*

(1) TA will be available for Service members participating in high school completion and approved courses from accredited undergraduate or graduate education programs or institutions. Approved courses are those that are part of an identified course of study leading to a postsecondary certificate or degree and non-degree oriented language courses integral to the Defense Language Transformation Roadmap (available at <http://www.defense.gov/news/Mar2005/d20050330roadmap.pdf>).

(i) Use of TA for non-degree oriented language courses is limited to those published by the Under Secretary of Defense (P&R) on the DoD Strategic Language List.

(ii) Dominant-in-the-force languages and languages deemed by DoD as already having sufficient strategic capacity will not be funded under 10 U.S.C. 2007, except for assignments outside the continental United States.

(2) TA will be applied as follows:

(i) For 100 percent of the cost of approved high school completion programs for Service members who have not been awarded a high school or equivalency diploma and who are enrolled in such programs.

(ii) In support of the voluntary education of active duty Service members during their off-duty periods, each Military Service will pay all or a portion, as specified in paragraphs (a)(2)(ii)(A) through (F) of this section, of the charges of an educational institution for education and training during the member's off-duty periods. TA funding will only be paid to educational institutions accredited by an accrediting organization recognized by ED, approved for Department of Veterans Affairs (VA) funding, and participating in Federal student aid programs through the Department of Education under Title IV of the Higher

Education Act of 1965. Whenever ED withdraws the recognition of any accrediting agency, an institution of higher education which meets the requirements of accreditation, eligibility, and certification on the day prior to such withdrawal, may, notwithstanding the withdrawal, continue to participate in the TA program for a period not to exceed 18 months from the date of the withdrawal of recognition.

(A) When an institution's charges are equal to or less than the established cap per semester-hour of credit or its equivalent, the responsible Service will pay the entire amount charged by the institution. In computing credit equivalency, the following conversions will apply: 1 quarter-hour credit = $\frac{2}{3}$ semester-hour credit; and 45 contact hours will be considered equivalent to one semester-hour credit when neither semester- nor quarter-hours are specified for the education or training for which the Service member is enrolled.

(B) When an institution's charges exceed the established cap per semester-hour of credit, or its equivalent, the responsible Service, will pay no more than the established cap per semester-unit (or equivalent) for tuition.

(C) Each Service member participating in off-duty, voluntary education will be allowed up to the established ceiling, in aggregate, for each fiscal year.

(D) Covered charges include those that are submitted to the Service by the educational institution for tuition only.

(E) TA funds are not to be used for the purchase of books and fees.

Additionally, institutional education revenue generated from military TA funds cannot be used to support textbook grants or scholarships.

(F) To be eligible to receive TA, a Service member must meet the minimum requirement of successfully completing basic training. Reserve Component members are exempt from the requirement to first attend basic training before authorized to receive TA. Additional, respective Service requirements must be met to include training qualification, unit assignment, and time in service criteria.

(iii) The TA rate, credit-cap, and annual per capita ceiling, will be reviewed annually in consideration of inflation and other effects, and will be applicable uniformly whether instruction is delivered traditionally in-the-classroom or through distance education. Rates of TA other than as identified in paragraphs (a)(2)(ii)(A) through (F) of this section are not authorized.

(3) *Service-specific TA Eligibility Requirements.*

(i) Service-specific eligibility criteria and management controls are determined by each Military Service.

(ii) Service-specific TA eligibility criteria and management controls may include, but are not limited to, applying TA:

(A) For courses leading to a certificate or required for a credentialing program. All payments for courses must comply with the allowable caps and ceilings.

(B) For graduate studies through the master's degree level. All payments for courses must comply with the allowable caps and ceilings.

(C) For same level degrees, subject to availability of funds. However, TA is primarily intended to raise the academic degree level of the Service member.

(4) TA is available to a commissioned officer on active duty, other than an officer serving in the Ready Reserves (addressed in paragraphs (a)(5)(i) and (a)(6)(i) of this section), only if the officer agrees to remain on active duty, for a period of at least two years after the completion of the education or training for which TA was paid (see 10 U.S.C. 2007).

(5) The Secretary of the Military Department concerned may only make TA available to a member of the SELRES, pursuant to 10 U.S.C. 2007, under the following conditions:

(i) In the case of a commissioned officer, the officer must agree to remain a member of the SELRES for at least four years after completion of the education or training for which TA is paid.

(ii) In the case of an enlisted member, the Secretary concerned may require the member of the SELRES to enter into an agreement to remain a member of the SELRES for up to four years after completion of the education or training for which TA is paid.

(6) The Secretary of the Military Department concerned may only make TA available to a member of the IRR who has a military occupational specialty designated by the Secretary concerned pursuant to 10 U.S.C. 2007 and only under the following conditions:

(i) In the case of a commissioned officer, the officer must agree to remain a member of the SELRES or IRR for at least four years after completion of the education or training for which TA was paid.

(ii) In the case of an enlisted member, the Secretary concerned may require the member of the IRR to enter into an agreement to remain a member of the IRR for up to four years after completion of the education or training for which TA is paid.

(7) Members performing Active Guard and Reserve (AGR) duty under either 10 U.S.C. 12310 or active duty under 14 U.S.C. 712 are eligible for TA under paragraph (a)(4) of this section.

(8) The Secretary of the Military Department concerned may make TA available to National Guard members in accordance with paragraph (a)(4), except for National Guard members assigned to the Inactive National Guard.

(9) Reimbursement and repayment requirements:

(i) If a commissioned officer or member of the RR does not fulfill a specified Service obligation as required by 10 U.S.C. 2007, they are subject to the repayment provisions of 37 U.S.C. 303a(e).

(ii) For other conditions pursuant to 10 U.S.C. 2005, the Secretary concerned may require a Service member to enter into a written agreement when providing advanced education assistance. If the Service member does not fulfill any terms or conditions as prescribed by the Secretary concerned, the Service member will be subject to the repayment provisions of 37 U.S.C. 303a(e).

(iii) Pursuant to 37 U.S.C. 303a(e), the Secretary concerned may establish procedures for determining the amount of the repayment required from the Service member and the circumstances under which an exception to the required repayment may be granted.

(iv) Reimbursement will be required from the Service member if a successful course completion is not obtained. For the purpose of reimbursement, a successful course completion is defined as a grade of "C" or higher for undergraduate courses, a "B" or higher for graduate courses and a "Pass" for "Pass/Fail" grades. Reimbursement will also be required from the Service member if he or she fails to make up a grade of "I" for incomplete within the time limits stipulated by the institution or 6 months after the completion of the class, whichever comes first. The Secretary of the Military Department will establish recoupment processes for unsuccessful completion of courses.

(10) Students using TA must maintain a cumulative grade point average (GPA) of 2.0 or higher after completing 15 semester hours, or equivalent, in undergraduate studies, or a GPA of 3.0 or higher after completing 6 semester hours or equivalent, in graduate studies, on a 4.0 grading scale. If GPA falls below these minimum GPA limits, TA will not be authorized and Service members will use alternative funding (such as financial aid or personal funds) to enroll in courses to raise the cumulative GPA to 2.0 for

undergraduate studies or 3.0 for graduate studies.

(11) TA will not be authorized for any course for which a Service member receives reimbursement in whole or in part from any other Federal source when the payment would constitute a duplication of benefits. Academic institutions have the responsibility to notify the Service if there is any duplication of benefits, determine the amount of credit that should be returned, and credit the amount back to the Service. The use of funds related to veterans' benefits to supplement TA received by active duty and Reserve component personnel is authorized in accordance with applicable VA guidelines.

(12) Pell Grants may be used in conjunction with TA assistance to pay that portion of tuition costs not covered by TA.

(13) TA will be provided for courses provided by institutions awarding degrees based on demonstrated competency, if:

(i) Competency rates are equated to semester or quarter units of credit, and

(ii) The institution publishes traditional grade correlations with "Pass/Fail" grades, and

(iii) The institution provides a breakdown by course equivalent for Service members.

(14) Enrollment in a professional practicum integral to these types of programs is also authorized. However, normal DoD TA caps and ceilings apply; the cost of expanded levels of enrollment over and above these enrollment levels and normal caps and ceilings must be borne by the student.

(15) When used for postsecondary education, TA will be provided only for courses offered by postsecondary institutions whose home campus is operating within the United States, to include the District of Columbia and U.S. territories, which are accredited by a national or regional accrediting body recognized by the ED.

(16) On a date to be determined, but not earlier than 60 days following the publication of this part in the **Federal Register**, to receive TA, all institution home campuses must sign the revised DoD Voluntary Education Partnership Memorandum of Understanding (MOU) in appendices A, B, C, D, and E to this part, and the name of the institution must be posted on the DoD MOU Web site under the 'Participating Institutions' tab (located at <http://www.dodmou.com>). One signed, revised DoD Voluntary Education Partnership MOU with the institution's home campus will cover any program offered by the institution, regardless of location.

The requirement to sign the revised DoD MOU contained in this part applies to institutions with a previously approved and signed DoD MOU posted on the DoD MOU Web site.

(17) To the extent that any provision of the standard language of the DoD Voluntary Education Partnership MOU template in appendices A, B, C, D, and E to this part, results from DoD policy that conflicts with a state law or regulation, the DASD(MCFP) may authorize amending the standard language of the DoD Voluntary Education Partnership MOU template on a case-by-case basis to the extent permissible by Federal law or regulation.

(18) A DoD MOU with an institution may be suspended or terminated by DoD in the following circumstances:

(i) The DoD MOU with an institution may be terminated by the ASD(R&FM) following written notice and an opportunity to respond for the failure to comply with any element of this part of the DoD MOU. In addition, an otherwise qualified institution may be suspended from participating in the tuition assistance program by the ASD(R&FM) following written notice and an opportunity to respond through either the termination of an existing DoD MOU or the refusal by DoD to enter into a new DoD MOU upon indictment of the institution or any senior official of the institution on a criminal charge related to the operation of the institution. The decision of the ASD(R&FM) in either of these cases may be appealed to the USD(P&R), and the decision of the USD(P&R) will be deemed to be the final administrative action by DoD on the matter.

(ii) An otherwise qualified institution may also be immediately suspended from participating in the tuition assistance program through either the termination of an existing DoD MOU or the refusal to enter into a new DoD MOU by the USD(P&R) on national security grounds. Written notice of the action shall be provided to the institution, and, if practicable without damaging national security, the written notice shall include a short unclassified summary of the reasons for the action. Such a decision of the USD(P&R) is only appealable to the Secretary of Defense, who has authorized the Deputy Secretary of Defense to act on such an appeal.

(iii) The authorities under this part are not delegable.

(b) *Guidelines for establishing, maintaining, and operating voluntary education programs.*

(1) Education programs established under this part by each Military Service will:

(i) Provide for the academic, technical, intellectual, personal, and professional development of Service members, thereby contributing to the readiness of the Military Services and the quality of life of Service members and their families.

(ii) Increase Service members' opportunities for advancement and leadership by reinforcing their academic skills and occupational competencies with new skills and knowledge.

(iii) Lead to a credential, such as a high school diploma, certificate, or college degree, signifying satisfactory completion of the educational program.

(iv) Include an academic skills program, which allows personnel to upgrade their reading, writing, computation, and communication abilities in support of academic skills and military occupations and careers. Academic skills programs may include English as a Second Language, mathematics and basic science.

(v) Include programs and college offerings that support findings from periodic needs assessments conducted by the appropriate installation official (normally the Education Services Officer) for programs provided on the installation. The installation needs assessment process is used to determine such items as staffing requirements, course offerings, size of facilities, funding, or other standards for delivery of educational programs. Duplication of course offerings on an installation should be avoided. However, the availability of similar courses through correspondence or electronic delivery will not be considered duplication.

(vi) Be described in a publication or on-line source that includes on-installation educational programs, programs available at nearby installations, and colleges and universities nearby the installation.

(2) Each Military Service, in cooperation with community educational service providers, will provide support essential to operating effective education programs. This support includes:

(i) Adequate funds for program implementation, administration, and TA.

(ii) Adequately trained staff to determine program needs, counsel students, provide testing services, and procure educational programs and services. Education counseling will be provided by qualified professional (Education Services Series 1740 or individual with equivalent qualifications) individuals.

(iii) Adequate and appropriate classroom, laboratory, and office facilities and equipment, including computers to support local needs.

(iv) Access to telecommunications networks, computers, and physical or online libraries at times convenient to active duty personnel.

(3) In operating its programs, each Military Service will:

(i) Provide to newly assigned personnel, as part of their orientation to each new installation or unit of assignment for Reserve component personnel, information about voluntary education programs available at that installation, unit, or State for RC personnel.

(ii) Maintain participants' educational records showing education accomplishments and educational goals.

(iii) Provide for the continuing professional development of their education services staff, including the participation of field staff in professional, as well as Service-sponsored, conferences, symposiums, and workshops.

(iv) Provide educational services, including TA counseling, academic advice and testing to their personnel and to personnel of other Services (including the U.S. Coast Guard when operating as a service in the Navy) who are assigned for duty at installations of the host Service. These educational services will be provided by qualified professional (Education Services Series 1740 or individual with equivalent qualifications) individuals in sufficient numbers to operate voluntary education programs as determined by individual Service standards. Outcomes from these educational services will include the following:

(A) A prior learning assessment that includes a review of all education transcripts to include the joint services transcript, the Community College of the Air Force transcript, and academic transcript recommendations for ACE recommended credit.

(B) An assessment of readiness for the education plan that is in support of the Service member's career goals and a discussion of academic skills development programs.

(C) Discussion and review of technical credentials that can be obtained concurrent to academic pursuits.

(D) Discussion of credit-by-examination options.

(E) Review of academic program options, leading to a degree plan.

(F) Discussion with prospective military students on payment options and the use of education benefits for postsecondary courses to include DoD TA Program, Department of Veterans

Affairs education benefit programs, state and federal grants and loans, commercial lending, and out-of-pocket costs for the Service member.

Discussion will include streamlined tools and information to compare educational institutions using key measures of affordability and value through the VA eBenefits portal at <http://www.ebenefits.va.gov>. The eBenefits portal is updated by VA to facilitate access to school performance information and key Federal financial aid documents.

(v) Continually assess the state of its voluntary education programs and periodically conduct a formal needs assessment by the appropriate installation official (normally the Education Services Officer) to ensure that the best possible programs are available to their members at each installation or in their State or area command for RC personnel. It is essential that a formal needs assessment be conducted if there is a significant change in the demographic profile of the installation population.

(4) Eligible adult family members of Service members, DoD civilian employees and their eligible adult family members, and military retirees may participate in installation postsecondary education programs on a space-available basis at no cost to the individual Service TA programs.

(5) At locations where an educational program that is offered on an installation is not otherwise conveniently available outside the installation, civilians who are not directly employed by the DoD or other Federal agencies, and who are not eligible adult family members of DoD personnel, may be allowed to participate in installation educational programs. While such participation contributes to positive community relations, participation must be on a student-funded, space-available basis at no cost to the individual Service TA programs, after the registration of Service members, DoD civilian employees, eligible adult family members, and military retirees. Additionally, a review of these potential participants by the relevant installation ethics counselor may be required as part of the installation commander's access requirements. Participation may also be subject to the terms of status-of-forces or other regulating agreements.

(6) Education centers and Navy College offices will maintain liaison with appropriate State planning and approving agencies and coordinating councils to ensure that planning agencies for continuing, adult, or postsecondary education are aware of

the educational needs of military personnel located within their jurisdiction.

(7) In supporting a high school completion program, each Military Service will:

(i) Ensure that all Service members with less than a high school education have the opportunity to attain a high school diploma or its equivalent.

(ii) Ensure that neither a Military Service nor DANTES issues a certificate or similar document to Service members based on performance on high school equivalency tests. Military Services will recognize attainment of high school completion or equivalency only after a State- or territory-approved agency has awarded the appropriate credential.

(iii) Pay 100 percent of the cost of high school equivalency instruction or proficiency testing and credentialing for Service members.

(iv) Ensure that Service sponsored high school diploma programs are delivered by institutions that are State-funded or a Service component program accredited by a regional accrediting body or recognized by a State's secondary school authority.

(c) *Procedures for the installation education advisor, on behalf of the installation commander, to follow to obtain voluntary education programs and services from postsecondary institutions of higher learning.*

(1) Since contacts by a school with a Service member for the purpose of asking or encouraging the member to sign up for one of the school's programs (assuming the program has some cost) are considered personal commercial solicitations, ensure schools comply with DoD Instruction 1344.07, "Personal Commercial Solicitation on DoD Installations" (available at <http://www.dtic.mil/whs/directives/corres/pdf/134407p.pdf>) and all requirements established by the installation commander for solicitation.

(2) Do not allow installation access to marketing firms or companies that own, operate, or represent higher-learning institutions; this privilege is reserved only for academic institution employees meeting the requirements as stated in the policy section of this part.

(3) Educational institutions interested in providing education, guidance, training opportunities, and participating in education fairs on a military installation provide their requests to the installation education advisor, who will review and analyze these requests on behalf of the installation commander.

(4) The installation education advisor will ensure all education institutions granted access to military bases to provide education, guidance, training

opportunities, and participate in education fairs to Service members:

(i) Adhere to federal law, DoD Instruction 1344.07, DoD Instruction 1322.19, "Voluntary Education Programs in Overseas Areas" (available at <http://www.dtic.mil/whs/directives/corres/pdf/132219p.pdf>); and the cognizant Military Service's policies and regulations.

(ii) Comply with applicable installation policies and procedures designated by the installation commander on such matters as fire and safety, environment, physical security, personnel background checks, vehicle inspection and registration, and any other applicable statutes or regulations designated by the installation commander.

(5) Monitor institutions granted access to an installation to ensure they do not:

(i) Use unfair, deceptive, abusive or fraudulent devices, schemes, or artifices, including misleading advertising or sales literature.

(ii) Engage in unfair, deceptive, or abusive marketing tactics such as unit briefings or assemblies, open recruiting efforts or distribution of marketing materials on the installation.

(iii) Market to or recruit newly assigned military personnel to the installation, unless the Service member has received information about voluntary education programs and educational services available at that installation, to include TA, from their education services staff or as part of their orientation to the new installation.

(6) Ensure institutions of higher learning granted access to military installations to provide programs, services, or education guidance to their students meet the following criteria:

(i) Have a signed MOU with DoD.

(ii) Are in compliance with state requirements where services will be rendered.

(iii) Are State approved for the use of veteran's education benefits. For DL courses and programs, State approval for the use of veteran's education benefits will be certified in the State where the DL course or program originated or is managed. Copies of the certification will be filed with the appropriate state approving agency for the military or veteran student.

(iv) Are participating in Federal student aid programs through the U.S. Department of Education under title IV of the Higher Education Act of 1965.

(v) Are accredited by a national or regional accrediting body recognized by the U.S. Department of Education and conduct programs only from among those offered or authorized by the main administrative and academic office in

accordance with standard procedures for authorization of degree programs by the institution.

(7) Military installations seeking an institution to provide on-installation education programs, through the installation education advisor, must:

(i) Communicate the installation's educational needs to a wide variety of potential providers.

(ii) Seek favorable tuition rates, student services, and instructional support from providers.

(iii) Provide to interested providers:

(A) The level of services, instruction desired and specific degree programs being sought.

(B) A demographic profile of the installation population and probable volume of participation in the program.

(C) Facilities and level of security at no charge to the institution.

(D) Cost associated with equipment and supporting services provided at the discretion of the installation.

(E) A copy of this part.

(F) Special requirements such as:

(1) Format (e.g., distance, evening, or weekend classes), independent study, short seminar, or other mode of delivery of instruction.

(2) Unique scheduling problems related to the operational mission of the installation.

(3) Any installation restrictions, limitations, or special considerations relevant to using an alternate delivery system (DL, etc.).

(4) Available computer hardware and supporting equipment.

(5) Electrical, satellite, and network capabilities at the site.

(8) In evaluating proposals, installation education advisors must ensure potential providers meet, at a minimum, the following criteria:

(i) Programs satisfy objectives defined by the most recent needs assessment.

(ii) Programs, courses, and completion requirements are the same as those at the provider's main administrative and academic campus.

(iii) The institution granting undergraduate academic credit must adhere to the Servicemembers Opportunity Colleges (SOC) Principles and Criteria [available at <http://www.soc.aascu.org/socconsortium/PublicationsSOC.html>] regarding the transferability of credit, the awarding of credit for military training and experience, and residency requirements.

(iv) The provider is prepared to:

(A) Offer academic counseling and flexibility in accommodating special military schedules.

(B) Ensure main administrative and academic office approval in faculty selection, assignment, and orientation;

and participation in monitoring and evaluation of programs. Adjunct or part-time faculty will possess comparable qualifications as full-time permanent faculty members.

(C) Conduct on-installation courses that carry identical credit values, represent the same content and experience, and use the same student evaluation procedures as courses offered through the main administrative and academic campus. All substantive course change requirements must follow the schools accreditation agencies requirements. If the institution's accrediting agency's substantive change policy requires new courses or program offerings to be submitted to the agency for approval, the institution will be required to submit such items for approval prior to admitting Service members using military TA.

(D) Maintain the same admission and graduation standards that exist for the same programs at the main administrative and academic office, and include credits from courses taken off-campus in establishing academic residency to meet degree requirements.

(E) Provide library and other reference and research resources, in either print or electronic format, that are appropriate and necessary to support course offerings.

(F) Establish procedures to maintain regular communication between central institutional academic leadership and administrators and off-campus representatives and faculty. Any institution's proposal must specify these procedures.

(G) Provide students with regular and accessible academic and financial counseling services either electronically or in-person. At a minimum, this includes Title IV and VA education benefits.

(H) Charge tuition that is not more than tuition charged to nonmilitary students.

(I) Have established policies for awarding credit for military training by examinations, experiential learning, and courses completed using modes of delivery other than instructor-delivered, on-site classroom instruction.

(J) Conduct programs only from among those offered or authorized by the main administrative and academic office in accordance with standard procedures for authorization of degree programs by the institution.

(d) *Requirements and procedures for institutions seeking access to the military installation solely to provide education guidance.*

(1) Institutions must meet the criteria in paragraphs (c)(6)(i) through (c)(6)(v) of this section.

(2) Institutions must have an on installation student population of at least 20 active duty military students, except in overseas locations covered by DoD Instruction 1322.19. For this exception, only contracted institutions are permitted on overseas installations.

(3) Institutions must request access through the installation education advisor or Navy College Office Director via a written proposal. If a request is received from an institution seeking access to a joint military installation, the education advisor or Navy College Office Director from the installation education centers will work together to determine the appropriate Military Service to work the request. The request should include as a minimum:

(i) Institution name and intent or purpose of the visit.

(ii) Number and names of school representatives that will be available.

(iii) Counseling delivery method: By appointment or walk-in.

(iv) Communication process used to inform students of their availability for counseling.

(4) The installation education advisor will review and analyze the request on behalf of the installation commander. The installation commander has the final authority to approve, deny, suspend, or withdraw installation access permission from an institution, as deemed appropriate.

(5) If a request is received from an institution seeking access to a military installation, the installation education advisor or Navy College Office Director will:

(i) Fully consider requests from those institutions complying with requirements as stated in paragraphs (d)(1) through (d)(3) of this section and be consistent in treatment of institutions in accordance with this part. Also, consider the value to the Service member as it relates to geographic location, accessibility and mission tempo.

(ii) If request is denied, provide a timely response to the institution; inform institution they may reapply for access once reasons for denial are addressed.

(iii) Maintain copies of all correspondence in accordance with the installation records management schedule and disposition, with a minimum time requirement of two years.

(6) If an installation grants access to an institution to provide guidance to their students, the institution will:

(i) Only advise or counsel students at the education center or at a location approved by the education advisor.

(ii) Maintain a list of students counseled and provide a copy to the education office. List will annotate type of program and status of the Service member (current or reenrollment).

(iii) Comply with applicable installation policies and procedures designated by the installation commander on such matters as fire and safety, environment, physical security, personnel background checks, vehicle inspection and registration, and any other applicable statutes or regulations designated by the installation commander.

(e) *Interservice Voluntary Education Board.* Under the direction of the Voluntary Education Chief, the Interservice Voluntary Education Board is composed of full-time or permanent part-time employees of DoD or military members, and consists of one representative responsible for policy from the Office of the ASD(RA), and the senior voluntary education advisor responsible for policy each from the Army, Navy, Air Force, and Marine Corps. The Director, DANTES, will serve as an ex-officio member. Meeting quarterly, the Board will:

(1) Provide a forum for the exchange of information and discussion of issues related to voluntary education programs.

(2) Develop recommendations for changes in policies and procedures.

(3) Develop recommendations for DANTES' activities and operations that support voluntary education programs.

(4) Review and prioritize DANTES activities that support DoD voluntary education programs, to include budget execution and recommend execution year adjustments.

(5) Develop recommended policy and program guidance for DANTES for the Future-Year Defense Program.

(f) *DANTES.*
(1) Guidance and recommendations for DANTES will be developed with the advice of the Interservice Voluntary Education Board.

(2) The selection and rating of the Director, DANTES will be as follows:

(i) The DASD(MCFP) will convene and chair the search committee responsible for replacing the Director, DANTES, when the position is vacated. At the request of the USD(P&R), the Secretaries of the Military Departments will provide a senior manager to sit on the search committee. The committee will recommend the best qualified candidate to the DoD EA for DANTES, for possible appointment as the Director, DANTES.

(ii) The DoD EA for DANTES will designate the rater of the Director, DANTES. The Director, State Liaison

and Educational Opportunity within the Office of the USD(P&R), MCFP, will provide input to the DoD EA designated rater concerning the performance of the Director, DANTES.

(3) DANTES will:

(i) Support the Service voluntary education programs by executing the program outlined in this part and the annual USD(P&R) supplemental guidance for those items not reflected in this paragraph of this section.

(ii) Provide execution information to the Interservice Voluntary Education Board quarterly and provide information required to assist with the program objective memorandum development as requested by the Board.

(iii) Support DoD off-duty, voluntary education programs and conduct special projects and developmental activities in support of education-related DoD functions.

(iv) Assist the Military Services in providing high-quality and valuable educational opportunities for Service members, their eligible adult family members, and DoD personnel, and assist personnel in achieving professional and personal educational objectives. This role includes the consolidated management of programs that prevent duplication of effort among the Services. Through its activities, DANTES supports DoD recruitment, retention, and the transition efforts.

(v) Assume responsibilities and functions that include:

(A) Managing and facilitating the delivery of a wide variety of examinations including the General Equivalency Diploma test, college admissions, credit-by-examination programs, and an extensive number of certification examinations.

(B) Upon request, issuing transcripts for the United States Armed Forces Institute and the examination and certification programs.

(C) Managing the contract through which former DoD Dependents Schools students can obtain copies of archived transcripts.

(D) Managing the contract and functions related to the evaluation of educational experiences in the Military Services that are covered by the contract.

(E) Providing or developing and distributing educational materials, reference books, counseling publications, educational software, and key educational resource information to DoD Components and the installations.

(F) Managing the SOC program contract and related functions.

(G) Managing the DoD contract that provides for periodic third-party reviews of DoD voluntary education

programs entitled the Third Party Education Assessment.

(H) Managing the data received on the voluntary education programs for the Voluntary Education Management Information System (VEMIS), which includes gathering, collating, and verifying participation and cost data from the Services. Providing requisite consolidated reports to USD(P&R).

Requested data from the Military Services on voluntary education programs is located and stored at <https://afaems.langley.af.mil/vemis>. A user guide containing voluntary education program data and report information for the Military Services and DANTES is also available at this Web site, under the "Resources" tab.

(I) Managing the DoD independent study catalog and its support systems, as required.

(J) Negotiating, administering, and coordinating contracts for DoD Worldwide Education Symposiums in support of and in conjunction with the Interservice Voluntary Education Board.

(K) Establishing, refining, updating, and maintaining information on worldwide education support of DoD off-duty, voluntary education programs on the Internet. Maintaining necessary infrastructure to ensure that information on the Internet is always current and available to leadership, agency personnel, the public, and others.

(L) Administering the TTT program in accordance with section 1154 of chapter 58 of 10 U.S.C.

(M) Monitoring new technological developments, providing reports, cost analyses, and recommendations on educational innovations, and conducting special projects requested by the Department of Defense and the Services, approved by the Interservice Voluntary Education Board, and as reflected and approved in DANTES' annual policy guidance.

(N) Conducting staff development training on DANTES' policies, procedures, and practices related to voluntary education testing programs, and providing additional training as requested by the Office of the Secretary of Defense and the Services.

(O) Serving as the Defense Media Activity's point of contact for information on DANTES programs for military personnel.

(P) Providing support, as requested, to DoD and Service Quality of Life and Transition support programs.

(Q) Providing other support in mission areas as directed by the USD(P&R) and the DASD(MCFP).

(R) Managing DoD Contingency Tri-Service Contracts, which provide educational opportunities for deployed

Service members with guidance and oversight from the DoD Voluntary Education Chief.

(S) Monitoring and maintaining liaison with the office responsible for consolidating and distributing the joint services transcript for the Services.

(vi) Maintain liaison with education services officials of the Military Services, and appropriate Federal and State agencies and educational associations, in matters related to the DANTES mission and assigned functions.

(vii) Serve on panels and working groups designated by the DASD(MCFP).

(viii) Serve as the Executive Secretary at the Interservice Voluntary Education Board meeting convened annually to review DANTES programs and to develop recommendations for inclusion in annual policy guidance for DANTES. In this role, the Director, DANTES, will coordinate the meeting, prepare the agenda, review and analyze DANTES programs and initiatives outlined in the prior year's operational plan, and provide minutes after the meeting.

(ix) Maintain the repository for the DoD Voluntary Education Partnership MOU between USD(P&R) and partner institutions, to include Service-specific addendums (see the Appendix to this section for template of DoD MOU). DANTES will:

(A) Administer and update the system that stores the repository of the MOUs per guidance from USD(P&R).

(B) Create, track, and maintain a centrally managed database for all signed documents.

(C) Publish an Internet-based list of all institutions that have a signed partnership DoD MOU.

(D) Generate reports in accordance with guidance from the USD(P&R) and procedures in DTM 12-004, "DoD Internal Information Collections" (available at <http://www.dtic.mil/whs/directives/corres/pdf/DTM-12-004.pdf>) and DoD 8910-1-M, "Department of Defense Procedures for Management of Information Requirements" (available at <http://www.dtic.mil/whs/directives/corres/pdf/891001m.pdf>).

(x) Provide data analyses and generate reports required by DoD and the Interservice Voluntary Education Board as needed.

Appendix A to Part 68—DoD Voluntary Education Partnership Memorandum of Understanding (MOU) Between DoD Office of the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) and [Name of Educational Institution]

1. Preamble.

a. Providing access to quality postsecondary education opportunities is a strategic investment that enhances the U.S. Service member's ability to support mission accomplishment and successfully return to civilian life. A forward-leaning, lifelong learning environment is fundamental to the maintenance of a mentally powerful and adaptive leadership-ready force. Today's fast-paced and highly mobile environment, where frequent deployments and mobilizations are required to support the Nation's policies and objectives, requires DoD to sponsor postsecondary educational programs using a variety of learning modalities that include instructor-led courses offered both on- and off-installation, as well as distance learning options. All are designed to support the professional and personal development and progress of the Service members and our DoD civilian workforce.

b. Making these postsecondary programs available to the military community as a whole further provides Service members, their eligible adult family members, DoD civilian employees, and military retirees ways to advance their personal education and career aspirations and prepares them for future vocational pursuits, both inside and outside of DoD. This helps strengthen the Nation by producing a well-educated citizenry and ensures the availability of a significant quality-of-life asset that enhances recruitment and retention efforts in an all-volunteer force.

2. Purpose.

a. This MOU articulates the commitment and agreement educational institutions provide to DoD by accepting funds via each Service's tuition assistance (TA) program in exchange for education services.

b. This MOU is not an obligation of funds, guarantee of program enrollments by DoD personnel, their eligible adult family members, DoD civilian employees, and retirees in an educational institution's academic programs, or a guarantee for installation access.

c. This MOU covers courses delivered by educational institutions through all modalities. These include, but are not limited to, classroom instruction, distance education (i.e., web-based, CD-ROM, or multimedia) and correspondence courses.

d. This MOU includes high school programs, academic skills programs, and adult education programs for military personnel and their eligible adult family members.

e. This MOU articulates regulatory and governing directives and instructions:

(1) Eligibility of DoD recipients is governed by Federal law, DoD Instruction 1322.25, DoD Directive 1322.08E, and the cognizant Military Service's policies, regulations, and fiscal constraints.

(2) Postsecondary educational programs provided to Service members using TA on military installations outside of the United States, will be operated in accordance with guidance from DoD Instruction 1322.25, DoD Instruction 1322.19, section 1212 of Public Law 99-145, as amended by section 518 of Public Law 101-189; and under the terms of the Tri-Services contract currently in effect.

f. This MOU is subject at all times to Federal law and the rules, guidelines, and

regulations of DoD. Any conflicts between this MOU and such Federal law, rules, guidelines, and regulations will be resolved in favor of the Federal law, rules, guidelines, or regulations.

3. Educational Institution (Including Certificate and Degree Granting Educational Institutions) Requirements for TA. Educational institutions must:

a. Sign and adhere to requirements of this MOU, including Service-specific addendums as appropriate, prior to being eligible to receive TA payments.

(1) Those educational institutions that have a current MOU with DoD will sign this MOU:

(a) At the expiration of their current MOU;

(b) At the request of DoD or the specific Military Service holding a separate current MOU. The DoD Voluntary Education Partnership MOU (which includes the Service-specific addendums) is required for an institution to participate in the DoD TA Program. An "Installation MOU" (which is separate from this MOU) is only required if an institution is operating on a military installation. The installation MOU:

1. Contains the installation-unique requirements that the installation's education advisor coordinated, documented, and retained; is approved by the appropriate Service voluntary education representative; and is presented to the installation commander for final approval.

2. Cannot conflict with the DoD Voluntary Education Partnership MOU and governing regulations.

(2) Educational institutions must comply with this MOU and the requirements in Service-specific addendums that do not conflict with governing Federal law and rules, guidelines, and regulations, which include, but are not limited to, Title 10 of the U.S. Code; DoD Directive 1322.08E, "Voluntary Education Programs for Military Personnel"; DoD Instruction 1322.25, "Voluntary Education Programs"; DoD Instruction 1322.19, "Voluntary Education Programs in Overseas Areas"; and all installation requirements imposed by the installation commander, if the educational institution has been approved to operate on a particular base. Educational institutions failing to comply with the requirements set forth in this MOU may receive a letter of warning, be denied the opportunity to establish new programs, have their MOU terminated, be removed from the installation, and may have the approval of the issuance of TA withdrawn by the Service concerned.

b. Be accredited by a national or regional accrediting agency recognized by the U.S. Department of Education, approved for VA funding, and participating in Federal student aid programs through the Department of Education under Title IV of the Higher Education Act of 1965.

c. Comply with the regulatory guidance provided by DoD and the Services.

d. Participate in the Third Party Education Assessment process when requested. This requirement applies not only to institutions providing courses on military installations, but also to those institutions that provide postsecondary instruction that is not located on the military installation or via DL.

(1) If an institution is operating on the military installation, the institution will

resolve the assessment report findings and provide corrective actions taken within six months following the Third Party Education Assessment to the appropriate education advisor on the military installation, the appropriate Service Voluntary Education Chief, and the DoD Voluntary Education Chief.

(2) If an institution is operating off the military installation or via DL, the institution will resolve the assessment report findings and provide corrective actions taken within six months following the Third Party Education Assessment to the DoD Voluntary Education Chief.

(3) In instances when the resolution action cannot be completed within the six month timeframe, the institution will submit a status report every three months to the appropriate education advisor on the military installation if the institution is operating on the military installation, and the DoD Voluntary Education Chief, until the recommendation is resolved.

e. Prior to enrollment, provide each student with specific information on location, understanding, and using the following tools:

(1) The College Scorecard is a consumer planning tool and resource to assist prospective students and their families as they evaluate options in selecting a school and is located at: <http://collegecost.ed.gov/scorecard/>.

(2) The Department of Education's Financial Aid Shopping Sheet is used by institutions to assist prospective students and their families better understand the costs of attending an institution before making the final decision on where to enroll. The Shopping Sheet is located at http://collegecost.ed.gov/shopping_sheet.pdf.

(3) The Consumer Financial Protection Bureau, located at <http://www.consumerfinance.gov>. The Web site allows prospective students to enter the names of up to three schools and receives detailed financial information on each one and to enter actual financial aid award information.

f. Designate a point of contact or office for academic and financial advising, including access to disability counseling, to assist Service members with completion of studies and with job search activities.

(1) The designated person or office will serve as a point of contact for Service members seeking information about available, appropriate academic counseling, financial aid counseling, and student support services at the institution;

(2) Point of contact will have:

(a) Basic understanding of the military tuition assistance program, Department of Education Title IV funding, education benefits offered by the VA, and familiarity with institutional services available to assist Service members; and

(b) The point of contact does not need to be exclusively dedicated to providing these services and, as appropriate, may refer the Service member to other individuals with an ability to provide these services, both on- and off-campus.

g. Prior to offering, recommending, arranging, signing-up, dispersing, or

enrolling Service members for private student loans, provide Service members access to an institutional financial aid advisor who will make available appropriate loan counseling to include but not limited to:

(1) Providing a clear and complete explanation of available financial aid, to include Title IV of the Higher Education Act of 1965, as amended;

(2) Describing the differences between private and Federal student loans and how Federal student loans generally offer more favorable terms, conditions, repayment and forgiveness options;

(3) Disclosing the institution's student loan Cohort Default Rate (CDR), the percentage of its students who borrow, and how its CDR compares to the national average. If the institution's CDR is greater than the national average CDR, it must disclose that information and provide the student with loan repayment data; and

(4) Explaining that students have the ability to refuse all or borrow less than the maximum student loan amount allowed.

h. Have a readmissions policy for Service members:

(1) Allow Service members and reservists to be readmitted to a program if they are temporarily unable to attend class or have to suspend their studies due to service requirements.

(2) Follow the regulation released by the Department of Education (34 CFR 668.8) regarding readmissions requirements for returning Service members seeking readmission to a program that was interrupted due to a Military service obligation, and to apply those provisions to Service members that are temporarily unable to attend classes for less than 30 days within a semester or similar enrollment period due to a Military service obligation. A description of the provisions for U.S. Armed Forces members and their families is provided in Chapter 3 of Volume 2 of the Federal Student Aid Handbook.

i. Have policies in place and within compliance with the regulations issued by the Department of Education (34 CFR 668.71–668.75 and 668.14) related to program integrity issues, including restrictions on recruitment, misrepresentation, and payment of incentive compensation. Adopt an institutional policy banning inducements (including any gratuity, favor, discount, entertainment, hospitality, loan, transportation, lodging, meals, or other item having a monetary value of more than a de minimus amount) to any individual or entity (other than salaries paid to employees or fees paid to contractors in conformity with all applicable laws) for the purpose of securing enrollments of Service members or obtaining access to TA funds as part of efforts to eliminate unfair, deceptive, and abusive marketing aimed at Service members.

j. Have policies in place and within compliance with the regulations issued by the Department of Education (34 CFR 668.43, 668.71–668.75, 668.14 and 600.9) related to program integrity issues, including State authorization. Refrain from high-pressure recruitment tactics as part of efforts to eliminate unfair, deceptive, and abusive

marketing aimed at Service members. Such tactics include making multiple unsolicited phone calls to Service members for the purpose of securing their enrollment.

k. Refrain from providing any commission, bonus, or other incentive payment based directly or indirectly on use third party lead generators on securing enrollments or Federal financial aid (including TA funds) to any persons or entities engaged in any student recruiting, admission activities, or making decisions regarding the award of student financial assistance. These tactics are discouraged as part of efforts to eliminate unfair, deceptive, and abusive marketing aimed at Service members.

l. Refrain from automatic program renewals, bundling courses or enrollments. The student and Military Service must approve all course enrollments prior to the start date of the class.

m. If the institution is a member of the Servicemembers Opportunity Colleges (SOC), in addition to the requirements stated in paragraphs 3.a through 3.l of this DoD MOU, the institution will:

(1) Adhere to the SOC Principles, Criteria, and Military Student Bill of Rights. (located at <http://www.soc.aascu.org/socconsortium/PublicationsSOC.html>).

(2) Provide processes to determine credit awards and learning acquired for specialized military training and occupational experience when applicable to a Service member's degree program.

(3) Recognize and use the ACE Guide to the Evaluation of Educational Experiences in the Armed Services to determine the value of learning acquired in military service. Award credit for appropriate learning acquired in military service at levels consistent with ACE Guide recommendations and/or those transcribed by the Community College of the Air Force, when applicable to a Service member's program.

n. If an institution elects not to be a member of SOC, in addition to the requirements stated in paragraphs 3.a. through 3.l. of this DoD MOU, the institution will:

(1) Disclose its transfer credit policies prior to a Service member's enrollment.

(a) If the institution accepts transfer credit from other accredited institutions, then the institution agrees to evaluate these credits in conformity with the principles set forth in the Joint Statement on the Transfer and Award of Credit developed by members of the American Association of Collegiate Registrars and Admissions Officers, the American Council on Education, and the Council for Higher Education Accreditation. The institution will then award appropriate credit, to the extent practicable within the framework of its institutional mission and academic policies.

(b) Decisions about the amount of transfer credit accepted, and how it will be applied to the student's program, will be left to the institution.

(2) Disclose its policies on how they award academic credit for prior learning experiences, including military training and experiential learning opportunities provided by the Military Services, at or before a Service member's enrollment.

(a) In so far as the institution's policies generally permit for the award of credit for comparable prior learning experiences, the institution agrees to evaluate the learning experiences documented on the Service member's official Service transcripts, and, if appropriate, award credit.

(b) The joint services transcript is an official education transcripts tool for documenting the recommended college credits for professional military education, training courses, and occupational experiences of Service members across the Services. The joint services transcript incorporates data from documents such as the Army/ACE Registry Transcript System, the Sailor/Marine ACE Registry Transcript System, the Community College of the Air Force transcript, and the Coast Guard Institute transcript.

(c) Decisions about the amount of experiential learning credit awarded, and how it will be applied to the student's program, will be left to the institution. Once an institution has evaluated a particular military training or experiential learning opportunity for a given program, the institution may rely on its prior evaluation to make future decisions about awarding credit to Service members with the same military training and experience documentation, provided that the course content has not changed.

(3) If general policy permits, transfer credit or credit awarded for prior learning may:

- (a) Replace a required course within the major;
- (b) Apply as an optional course within the major;
- (c) Apply as a general elective;
- (d) Apply as a basic degree requirement; or
- (e) Waive a prerequisite.

(4) Disclose to Service members any academic residency requirements pertaining to the student's program of study, including total and any final year or final semester residency requirement at or before the time the student enrolls in the program.

(5) Disclose basic information about the institution's programs and costs, including tuition and other charges to the Service member. This information will be made readily accessible without requiring the Service member to disclose any personal or contact information.

(6) Prior to enrollment, provide Service members with information on institutional "drop/add," withdrawal, and readmission policies and procedures to include information on the potential impact of military duties (such as unanticipated deployments or mobilization, activation, and temporary duty assignments) on the student's academic standing and financial responsibilities. For example, a Service member's military duties may require relocation to an area where he or she is unable to maintain consistent computer connectivity with the institution, which could have implications for the Service member's enrollment status. This information will also include an explanation of the institution's grievance policy and process.

(7) Conduct academic screening and competency testing; make course placement based on student readiness.

4. *TA Program Requirements for Educational Institutions*

a. *One Single Tuition Rate.* All Service members attending the same institution, at the same location, enrolled in the same course, will be charged the same tuition rate without regard to their Service component. This single tuition rate includes active duty Service members and the National Guard and Reservists who are activated under Title 10 and using Title 10 Military Tuition Assistance, in order to assure that tuition rate distinctions are not made based on the Service members' branches of Service.

(1) It is understood tuition rates may vary by mode of delivery (traditional or online), at the differing degree levels and programs, and residency designations (in-state or out-of-state). Tuition rates may also vary based on full-time or part-time status, daytime vs. evening classes, or matriculation date, such as in the case of a guaranteed tuition program.

(2) It is also understood that some States have mandated State rates for Guard and Reservists within the State. (Those Guard and Reservists not activated on title 10, U.S. Code orders).

b. *Course Enrollment Information.* The educational institutions will provide course enrollment, course withdrawal, course cancellation, course completion or failure, grade, verification of degree completion, and billing information to the TA issuing Service's education office, as outlined in the Service's regulations and instructions.

(1) Under section 1232g of title 20, United States Code (also known as "The Family Educational Rights and Privacy Act" and hereinafter referred to as "FERPA"), DoD recognizes that institutions are required to obtain consent before sharing personally identifiable non-directory information with a third party. Service members must authorize the institutions to release and forward course enrollment information required in 4.b. to DoD prior to approval of course enrollment using tuition assistance.

(2) If an institution wants to ensure confidentiality during the transmission of data to the third party, then the institution can contact the appropriate Service TA management point of contact to discuss security and confidentiality concerns prior to transmitting information.

c. *Degree Requirements and Evaluated Education Plans*

(1) Institutions will disclose general degree requirements for the Service member's educational program (education plan) to the member and his or her Service prior to the enrollment of the Service member at the institution. These requirements, typically articulated in the institution's course catalog, should:

- (a) Include the total number of credits needed for graduation.
- (b) Divide the coursework students must complete in accordance with institutional academic policies into general education, required, and elective courses.

(c) Articulate any additional departmental or graduate academic requirements, such as satisfying institutional and major field grade point average requirements, a passing grade in any comprehensive exams, or completion of a thesis or dissertation.

(2) In addition to providing degree requirements, the institution will provide to Service members who have previous coursework from other accredited institutions and relevant military training and experiential learning an evaluated educational plan that indicates how many, if any, transfer credits it intends to award and how these will be applied toward the Service member's educational program. The evaluated educational plan will be provided within 60 days after the individual has selected a degree program and all required official transcripts have been received.

(3) When a Service member changes his or her educational goal or major at the attending school and the Services' education advisor approves the change, then the institution will provide a new evaluated educational plan to the Service member and the Service. Only courses listed in the Service member's education plan will be approved for TA.

(4) Degree requirements in effect at the time of each Service member's enrollment will remain in effect for a period of at least one year beyond the program's standard length, provided the Service member is in good academic standing and has been continuously enrolled or received an approved academic leave of absence. Adjustments to degree requirements may be made as a result of formal changes to academic policy pursuant to institutional or departmental determination, provided that:

- (a) They go into effect at least two years after affected students have been notified; or
- (b) In instances when courses or programs are no longer available or changes have been mandated by a State or accrediting body, the institution will work with affected Service members to identify substitutions that would not hinder the student from graduating in a timely manner.

(5) Prior to the enrollment of a Service member, the institution must obtain the approval of the institution's accrediting agency for a new course or program offering, provided such approval is appropriate under the substantive change requirements of the accrediting agency.

d. *Approved and TA Eligible Courses.*

(1) *Approved Courses.* If an eligible Service member decides to use TA, educational institutions will enroll him or her only after the TA is approved by the individual's Service. Service members will be solely responsible for all tuition costs without this prior approval. This requirement does not prohibit an educational institution from pre-registering a Service member in a course in order to secure a slot in the course. If a school enrolls the Service member before the appropriate Service approves Military TA, then the Service member could be responsible for the tuition. All Military TA must be requested and approved prior to the start date of the course. The Military TA is approved on a course-by-course basis and only for the specific course(s) and class dates that a Service member requests. If a military student "self-identifies" their eligibility and the Service has not approved the funding, then the Service member will be solely responsible for all tuition costs, not the Service.

(2) *TA Eligible Courses.* Courses will be considered eligible for TA if they are:

(a) Part of an individual's evaluated educational plan; or

(b) Prerequisites for courses within the individual's evaluated educational plan; or

(c) Required for acceptance into a higher-level degree program, unless otherwise specified by Service regulations.

e. *Use of Financial Aid with TA.*

(1) "Top-Up" eligible active duty DoD personnel may use this Montgomery or Post-9/11 G.I. Bill benefit in conjunction with TA funds from their Service to cover those course costs to the Service member that exceed the amount of TA paid by his or her Service. Reserve Component members who have paid for Chapter 30 G.I. Bill benefits may use those benefits concurrently with TA. Reserve Component members who have earned entitlement for the Post-9/11 G.I. Bill may combine VA benefits and TA as long as the combined benefits do not total more than 100 percent of the actual costs of tuition.

(2) DoD personnel are entitled to consideration for all forms of financial aid that educational institutions make available to students at their home campus. Educational institution financial aid officers will provide information and application processes for Title IV student aid programs, scholarships, fellowships, grants, loans, etc., to DoD TA recipients.

(3) Service members identified as eligible DoD TA recipients, who qualify for Pell Grants through the Department of Education's student aid program, will have their TA benefits applied to their educational institution's account prior to the application of their Pell Grant funds to their account. Unlike TA funds, which are tuition-restricted, Pell Grant funds are not tuition-restricted and may be applied to other allowable charges on the account.

f. *Administration of Tuition.*

(1) The Services will provide TA in accordance with DoD- and Service-appropriate regulations.

(2) TA will be limited to tuition and is refundable in accordance with the institution's tuition refund policy. Additionally, the following refund requirements must be met:

(a) Must be 100 percent refundable up until the start of the course.

(b) The institution's policy for returning unearned TA funds for Service members who stop attending due to Military service obligations must be aligned with provisions in section 484B of Title IV of the Higher Education Act of 1965, and the Department of Education regulations set out at 34 CFR 668.22.

(c) The institution's policy for returning unearned TA funds for Service members who withdraw prior to the course completion must be aligned with provisions in section 484B of Title IV of the Higher Education Act of 1965, and with Department of Education regulations set out at 34 CFR 668.22.

(3) Tuition charged to a Service member will in no case exceed the rate charged to nonmilitary students, unless agreed upon in writing by both the institution and the Service.

(4) Institutions will provide their tuition charges for each degree program to the Services on an annual basis. Any changes in

the tuition charges will be provided to and justified to all the Services, as soon as possible, but not fewer than 90 days prior to implementation. If the MOU is with a single educational institution, at a single location, with only one Service, the justification will be provided to that Service, which will then provide that information to the other Services.

(a) Tuition at many public institutions are established by entities over which they have no jurisdiction, such as State legislatures and boards. As such, in some instances tuition decisions will not be made within the 90-day requirement window.

(b) When this happens, the institution should request a waiver (via the DoD MOU Web page) and provide the Services with the new tuition charges. This will ensure the correct rates are applied when a Service member requests tuition to attend the State institution.

(5) Refunds of Government-funded TA will be paid in accordance with the institution's published refund policy and will go to the Service, not to the Service member.

(6) The institution will refund to the Service the total amount of tuition paid for a course that is cancelled by the institution.

(7) TA invoicing information is located in the Service-specific addendums attached to this MOU.

g. *Course Cancellations.* Institutions are responsible for notifying Service members of class cancellations for both classroom and DL courses.

h. *Materials and Electronic Accessibility.*

(1) Institutions will ensure that course materials are readily available, either electronically or in print medium, and provide information about where the student may obtain class materials at the time of enrollment or registration.

(2) Institutional representatives will refrain from encouraging or requiring students to purchase course materials prior to confirmation of sufficient enrollments to conduct the class. Students will be encouraged to verify course acceptance by CCAF (Air Force only) or other program(s), with the installation education advisor before enrolling or requesting TA.

(3) Institutions will provide, where available, electronic access to their main administrative and academic center's library materials, professional services, relevant periodicals, books, and other academic reference and research resources in print or online format that are appropriate or necessary to support the courses offered. Additionally, institutions will ensure adequate print and non-print media resources to support all courses being offered are available at base or installation library facilities, on-site Institution resource areas, or via electronic transmission.

i. *Graduation Achievement Recognition.*

(1) The educational institution will issue, at no cost to the Government, documentation as proof of completion, such as a diploma or certificate, to each student who completes the respective program requirements and meets all financial obligations.

(2) In accordance with Service requirements, the institution will provide the Service concerned with a list of those TA

recipients who have completed a certificate, diploma, or degree program. The list will include the degree level, major, and program requirements completion date.

(3) The academic credentials for certificate, diploma, or degree completion should reflect the degree-granting institution and campus authorized to confer the degree.

(a) If the Service member attends a branch of a large, multi-branch university system, the diploma may indicate the credential of the specific campus or branch of the institution from which the student received his or her degree.

(b) Credentials will be awarded to Service members with the same institutional designation as non-Service members who completed the same course work for a degree from the same institution.

(4) The institution will provide students with the opportunity to participate in a graduation ceremony.

j. *Reporting Requirements and Performance Metrics.*

(1) The institution will provide reports via electronic delivery on all DoD TA recipients for programs and courses offered to personnel as required by the cognizant Service. This includes, but is not limited to, TA transactions, final course grades to include incompletes and withdrawals, degrees awarded, certificates earned, evaluated educational plans, courses offered, and military graduation. Institutions providing face-to-face courses on a military installation will provide a class roster to the installation education advisor. The class roster will include information such as the name of the instructor, the first and last name of each student (military and non-military), the course title, the class meeting day(s), the start and ending time of the class, and the class location (e.g., building and room number).

(a) All reporting and transmitting of this information will be done in conformity with all applicable privacy laws, including FERPA.

(b) Institutions will respond to these requests in a timely fashion, which will vary based on the specific nature and scope of the information requested.

(2) The cognizant Service may evaluate the institution's overall effectiveness in administering its academic program, courses, and customer satisfaction to DoD. A written report of the findings will be provided to the institution. The institution will have 90 calendar days to review the report, investigate if required, and provide a written response to the findings.

(3) The Services may request reports from an institution at any time, but not later than 2 years after termination of the MOU with such institution. Responses to all requests for reports will be provided within a reasonable period of time, and generally within 14 calendar days. Institutional response time will depend on the specific information sought by the Services in the report.

5. *Requirements and Responsibilities for the Delivery of On-Installation Voluntary Education Programs and Services*

a. The requirements in this section pertain to institutions operating on a military installation.

An installation MOU:

(1) Is required if an institution is operating on a military installation.

(2) Contains only the installation-unique requirements coordinated by the installation's education advisor, with concurrence from the appropriate Service voluntary education representative, and approved by the installation commander.

(3) Cannot conflict with the DoD Voluntary Education Partnership MOU and governing regulations.

b. Educational institutions will:

(1) Agree to have a separate installation MOU if they have a Service agreement to provide on-installation courses or degree programs.

(2) Comply with the installation-unique requirements in the installation MOU.

(3) Agree to coordinate degree programs offered on the installation with the installation's education advisor, who will receive approval from the installation commander, prior to the opening of classes for registration.

(4) Admit candidates to the institution's on-installation programs at their discretion; however, priority for registration in installation classes will be given in the following order:

(a) Service members.

(b) Federally funded DoD civilian employees.

(c) Eligible adult family members of Service members and DoD civilian employees.

(d) Military retirees.

(e) Non-DoD personnel.

(5) Provide the installation's education advisor, as appropriate, a tentative annual schedule of course offerings to ensure that the educational needs of the military population on the installation are met and to ensure no course or scheduling conflicts with other on-installation programs.

(6) Provide instructors for their installation courses who meet the criteria established by the institution to qualify for employment as a faculty member on the main administrative and academic center.

(7) Inform the installation education advisor about cancellations for classroom-based classes on military installations per the guidelines set forth in the separate installation MOU.

c. The Services' designated installation representative (usually the installation education advisor), will be responsible for determining the local voluntary education program needs for the serviced military population and for selecting the off-duty educational programs to be provided on the installation, in accordance with the Services' policies. The Service, in conjunction with the educational institution, will provide support services essential to operating effective educational programs. All services provided will be commensurate with the availability of resources (personnel, funds, and equipment). This support includes:

(1) Classroom and office space, as available. The Service will determine the adequacy of provided space.

(2) Repairs as required to maintain office and classroom space in "good condition" as determined by the Service, and utility

services for the offices and classrooms of the institution located on the installation (e.g., electricity, water, and heat).

(3) Standard office and classroom furnishings within available resources. No specialized equipment will be provided.

(4) Janitorial services in accordance with installation facility management policies and contracts.

d. The Service reserves the right to disapprove installation access to any employee of the institution employed to carry out any part of this MOU.

e. Operation of a privately owned vehicle by institution employees on the installation will be governed by the installation's policies.

f. The installation education advisor will check with his or her Service's responsible office for voluntary education prior to allowing an educational institution to enter into an MOU with the installation.

6. *Review, Modifications, Signatures, Effective Date, Expiration Date, and Cancellation Provision.*

a. *Review.* The signatories (or their successors) will review this MOU periodically in coordination with the Services, but no less than every five years to consider items such as current accreditation status, updated program offerings, and program delivery services.

b. *Modifications.* Modifications to this MOU will be in writing and, except for those required due to a change in State or Federal law, will be subject to approval by both of the signatories below, or their successors.

c. *Signatures.* The authorized signatory for DoD shall be designated by the USD(P&R). The authorized signatory for the institution will be determined by the institution.

d. *Effective Date.* This MOU is effective on the date of the later signature.

e. *Expiration Date.* This MOU will expire five years from the effective date, unless terminated or updated prior to that date in writing by DoD or the institution.

f. *Cancellation Provision.* This MOU may be cancelled by either DoD or the institution 30 days after receipt of the written notice from the cancelling party. In addition, termination and suspension of an MOU with an institution may be done at any time for failure to follow a term of this MOU or misconduct in accordance paragraphs (a)(18)(i) through (a)(18)(iii) of § 68.6.

For the Department of Defense:

Designated Signatory _____

Date _____

For the Institution: _____

President or Designee _____

Date _____

Appendix B to Part 68—Addendum for Education Services Between [Name of Educational Institution] and the U.S. Air Force (USAF)

1. *Purpose.* This addendum is between (Name of Educational Institution), hereafter referred to as the "Institution," and the

United States Air Force (USAF). The purpose of this agreement is to provide guidelines and procedures for the delivery of educational services to Service members, DoD civilian employees, eligible adult family members, military retirees, and non-DoD personnel not covered in the DoD Voluntary Education Partnership Memorandum of Understanding (MOU) between the DoD Office of the Under Secretary of Defense for Personnel and Readiness and the Institution. This addendum is not to be construed in any way as giving rise to a contractual obligation of the USAF to provide funds to the institution that would be contrary to Federal law.

2. Responsibilities.

a. USAF Education and Training Section (ETS) Chief. The USAF ETS Chief will:

(1) Maintain a continuing liaison with the designated Institution representative and be responsible for inspections and the acceptance of the Institution's services. The ETS Chief will assist the Institution representative to provide military and USAF culture orientation to the Institution personnel.

(2) Review requests from Institutions with no on-installation MOU for permission of installation access and space within the ETS to counsel current students, provide information briefings and materials, attend education fairs, and provide other informational services approved by the installation commander. Approval depends on the installation commander. Approval of any school eligible for Military TA will be extended equally to all such schools: same time allotment, space, and frequency.

(3) Assist the Institution or refer them to the information technology contractor for training in the use of the Academic Institution Portal (AI Portal) regarding input of Institution information, degree offerings, tuition rates, grades, invoices, degree completions, and search tools pre-built into the USAF online Voluntary Education System.

b. Institutions will:

(1) Appoint and designate an Institution representative to maintain a continuing liaison with the USAF ETS Chief.

(2) Provide general degree requirements to each airman for his or her education program and the ETS as soon as he or she decides to register with the Institution and while awaiting final evaluation of transfer credits.

(3) Assume responsibility for the administration and proctoring of all course examinations not normally administered and proctored within the traditional, in-the-classroom setting.

(4) Provide to airmen, upon their request, information on Institution policies including, but not limited to, course withdrawal dates and penalties, course cancellation procedures, course grade publication, billing practices, and policy regarding incompleting of a course. Face-to-face counseling is not required.

(5) Register and use the AI Portal to input Institution basic information, degree offerings, tuition rates, invoice submission, course grades submission, degree completions, and to pull pre-established educational institution reports while conducting business with the USAF.

(6) Submit one consolidated invoice per term via the AI Portal for each class in which active duty military airmen are enrolled using Mil TA. Submission will be made during the term, no earlier than after the final add/drop/census date, and no later than 30 calendar days after the end of the term.

(7) Submit course grades via the AI Portal for each class in which active duty military airmen are enrolled using Mil TA. Submission will be made no later than 30 calendar days after the end of the term.

(8) Accept the Government Purchase Card (GPC) for payment of Mil TA.

(9) Provide a list of program graduates via the AI Portal consisting of student name, program title, program type (such as bachelor's degree), and date of graduation no later than 30 calendar days after the end of the term in which graduation requirements are completed. If the AI Portal is not available, provide directly to the base Education and Training Section.

c. Institutions with no on-installation MOU are authorized to request permission for installation access and space within the ETS to counsel current students, provide information briefings and materials, attend education fairs, and other informational services. Approval depends on the installation commander. If approval is granted, then all other permissions will be authorized equally for any school eligible for Military TA; the same time allotment, space, and frequency.

d. All institutions with an on-installation MOU or invitation for an on-installation activity, such as an educational fair, are authorized to counsel or provide information on any of their programs.

3. Additional Guidelines

a. In addition to DoD policy outlined in the DoD MOU, the authorization of Mil TA is further governed by Air Force Instruction (AFI) 36-2306, as well as applicable policy and guidance.

b. Installation access of non-DoD and non-installation personnel is at the discretion of the installation commander. Access once provided can be revoked at any time due to military necessity or due to conduct that violates installation rules or policies.

c. No off-base school will be given permanent space or scheduled for regularly recurring time on-base for student counseling.

Appendix C to Part 68—Addendum for Education Services Between [Name of Educational Institution] and the U.S. Army

1. *Purpose.* This addendum is between (Name of Educational Institution), hereafter referred to as the "Institution," and the United States Army. The purpose of this agreement is to provide guidelines and procedures for the delivery of educational services to Service members, DoD civilian employees, eligible adult family members, military retirees, and non-DoD personnel not covered in the DoD Voluntary Education Partnership Memorandum of Understanding between the DoD Office of the Under Secretary of Defense for Personnel and Readiness and the Institution. This addendum is not to be construed in any way as giving rise to a contractual obligation of the U.S. Army to provide funds to the Institution that would be contrary to Federal law.

as giving rise to a contractual obligation of the U.S. Army to provide funds to the Institution that would be contrary to Federal law.

2. Responsibilities.

a. *Army Education Services Officer (ESO):* In support of this addendum, the Army ESO will maintain a continuing liaison with a designated Institution representative and be responsible for inspections and the acceptance of the Institution's services. The ESO will provide assistance to the Institution representative to provide military and Army culture orientation to the Institution personnel.

b. *Institutions.* The Institution will: (1) Appoint and designate an Institution representative to maintain a continuing liaison with the Army ESO.

(2) Adopt the GoArmyEd processes. GoArmyEd is the Army Continuing Education System (ACES) centralized and streamlined management system for the Army's postsecondary voluntary education programs. Existing MOUs or Memorandums of Agreement, Tri-Services contracts, or other contracts that Institutions may have with military installations and ACES remain in place and should be supplemented with DoD Instruction 1322.25.

(3) Agree to all of the terms in the ACES policies and procedures, available at https://www.hrc.army.mil/site/education/GoArmyEd_School_Instructions.html, such as: invoicing, grades, reports, library references, etc. For non-Letter of Instruction (LOI) institutions satisfying paragraph 3.f. of this DoD MOU, any requirements in ACES policies and procedures requiring institutions to be a member of SOC are hereby waived.

(4) Institutions currently participating with GoArmyEd as LOI and non-LOI schools, may continue to do so at the discretion of Headquarters, ACES. Non-LOI schools will be subject to the requirements of paragraphs 2.b.(2) and 2.b.(3) of this DoD MOU only to the extent that their existing non-LOI agreement with the U.S. Army provides.

Appendix D to Part 68—Addendum for Education Services Between [Name of Educational Institution] and the U.S. Marine Corps

1. *Purpose.* This addendum is between (Name of Educational Institution), hereafter referred to as the "Institution," and the U.S. Marine Corps. The purpose of this agreement is to provide guidelines and procedures for the delivery of educational services to Service members, DoD civilian employees, eligible adult family members, military retirees, and non-DoD personnel not covered in the DoD Voluntary Education Partnership Memorandum of Understanding between the DoD Office of the Under Secretary of Defense for Personnel and Readiness and the Institution. This addendum is not to be construed in any way as giving rise to a contractual obligation of the U.S. Marine Corps to provide funds to the Institution that would be contrary to Federal law.

2. Responsibilities.

a. *Marine Corps Education Services Officer (ESO):* In support of this addendum, the

Marine Corps ESO will maintain a continuing liaison with a designated Institution representative and be responsible for inspections and the acceptance of the Institution's services. The ESO will provide assistance to the Institution representative to provide military and Marine Corps culture orientation to the Institution personnel.

b. *Institution.* The Institution will:

(1) Appoint and designate an Institution representative to maintain a continuing liaison with the Marine Corps ESO.

(2) Provide open enrollment during a designated time periods in courses conducted through media (e.g., portable media devices or computer-aided). Those courses will be on an individual enrollment basis.

(3) When operating on a Marine Corps installation, provide all required equipment when the Institution provides instruction via media.

(4) When operating on a Marine Corps installation, provide library services to the Marine Corps base/installation for students in the form of research and reference materials (e.g., books, pamphlets, magazines) of similar quality to the support provided students on the institution's home campus. Services will also include research and reference material in sufficient quantity to meet curriculum and program demands. Materials will be, at a minimum, the required readings of the instructor(s) for a particular course or program, or the ability for the student to request a copy of such material, from the institution's main library, without any inconvenience or charge to the student (e.g., a library computer terminal that may allow students to order material and have it mailed to their residence).

(5) Route publicity generated for an installation community through the base ESO.

(6) Permit employment of off-duty military personnel or Government civilian employees by the institution, provided such employment does not conflict with the policies set forth in DoD Regulation 5500.7-R. However, Government personnel employed in any way in the administration of this addendum will be excluded from such employment because of conflict of interest.

3. Billing Procedures, and Formal Grades.

a. Comply with wide area workflow process for invoicing tuition assistance.

b. Grades will be submitted through the Navy College Management Information System grade entry application.

c. Grade reports will be provided to the Naval Education and Training Professional Development and Technology Center within 30 days of term ending or completion of the course, whichever is earlier.

Appendix E to Part 68—Addendum for Education Services Between [Name of Educational Institution] and the U.S. Navy

1. *Purpose.* This addendum is between (Name of Educational Institution), hereafter referred to as the "Institution," and the U.S. Navy. The purpose of this agreement is to provide guidelines and procedures for the delivery of educational services to Service members, DoD civilian employees, eligible

adult family members, military retirees, and non-DoD personnel not covered in the DoD Voluntary Education Partnership Memorandum of Understanding (MOU) between the DoD Office of the Under Secretary of Defense for Personnel and Readiness and the Institution. This addendum is not to be construed in any way as giving rise to a contractual obligation of the Department of the Navy to provide funds to the academic Institution that would be contrary to Federal law.

2. *Responsibilities.*

a. *Commanding Officer responsible for execution of the Voluntary Education Program.* The commanding officer responsible for execution of the voluntary education program will:

- (1) Determine the local voluntary education program needs for the Navy population to be served and recommend to the installation commander the educational programs to be offered on the base;
- (2) Administer this agreement and provide program management support;
- (3) Manage the Navy College Program Distance Learning Partnership (NCPDLP) agreements.

b. *Navy College Office (NCO):* In support of this addendum, the NCO will maintain a continuing liaison with the designated Institution representative and be responsible for inspections and the acceptance of the Institution's services. The NCO will provide assistance to the Institution representative to provide military and Navy culture orientation to the Institution personnel.

c. *Institution.* The Institution will:

- (1) If a distance learning partner institution:
 - (i) Comply with NCPDLP agreements, if an institution participates in NCPDLP.
 - (ii) Provide a link to the academic institution through the Navy College Program Web site, only if designated as an NCPDLP school.
 - (iii) Display the academic Institution's advertising materials (i.e., pamphlets, posters, and brochures) at all NCOs, only if designated as an NCPDLP school.
- (2) Appoint and designate an Institution representative to maintain a continuing liaison with the NCO staff.
- (3) Comply with wide area work flow processes for invoicing of tuition assistance. Grades will be submitted to the Navy College Management Information System grade entry application.
- (4) Ensure library resource arrangements are in accordance with the standards of the Institution's accrediting association and the State regulatory agency having jurisdiction over the academic Institution.
- (5) Respond to email messages from students within a reasonable period of time—generally within two workdays, unless extenuating circumstances would justify additional time.
- (6) Comply with host command procedures before starting instructor-based courses on any Navy installation. The NCO will negotiate a separate agreement with the academic Institution in concert with the host command procedures.
- (7) Mail an official transcript indicating degree completion, at no cost to the sailor or

the Government to: Center for Personal and Professional Development, Attn: Virtual Education Center, 1905 Regulus Ave., Suite 234, Virginia Beach, VA 23461-2009.

Dated: August 9, 2013.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2013-19747 Filed 8-13-13; 8:45 am]

BILLING CODE 5001-06-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R08-OAR-2013-0474; FRL-9846-9]

Approval and Promulgation of Air Quality Implementation Plans; Utah; Revisions to Utah Administrative Code and an Associated Plan Revision

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to partially approve and partially disapprove State Implementation Plan (SIP) revisions submitted by the State of Utah on September 20, 1999. The September 20, 1999 submittal revised the numbering and format of the Utah Administrative Code (UAC) rules within Utah's SIP. In this action, EPA is acting on those rules from the September 20, 1999 submittal that still require EPA action. Specifically, EPA is proposing to approve R307-110-16, "Section IX, Control Measures for Area and Point Sources, Part G, Fluoride," and to disapprove R307-110-29, "Section XXI, Diesel Inspection and Maintenance Program." In conjunction with our proposed disapproval of R307-110-29, we are also proposing to disapprove the Utah Diesel Inspection and Maintenance Program, which Utah submitted as a revision to the SIP on February 6, 1996, and which was incorporated by reference in R307-110-29 as part of the September 20, 1999 submittal. This action is being taken under section 110 of the CAA.

DATES: Comments must be received on or before September 13, 2013.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R08-OAR-2013-0474, by one of the following methods:

- *www.regulations.gov.* Follow the on-line instructions for submitting comments.
- *Email:* ostendorf.jody@epa.gov.
- *Fax:* (303) 312-6064 (please alert the individual listed in the **FOR FURTHER INFORMATION CONTACT** if you are faxing comments).

- *Mail:* Carl Daly, Director, Air Program, Environmental Protection Agency (EPA), Region 8, Mailcode 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129.

- *Hand Delivery:* Carl Daly, Director, Air Program, Environmental Protection Agency (EPA), Region 8, Mailcode 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129. Such deliveries are only accepted Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding federal holidays. Special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA-R08-OAR-2013-0474. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at www.regulations.gov, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through www.regulations.gov or email. The www.regulations.gov Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA, without going through www.regulations.gov, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>. For additional instructions on submitting comments, go to section I. General Information of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: All documents in the docket are listed in the www.regulations.gov index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute.

Chairwoman FOXX. Thank you very much.
Dr. Sauer, you are now recognized for 5 minutes.

STATEMENT OF DR. KEN SAUER, SENIOR ASSOCIATE COMMISSIONER FOR RESEARCH AND ACADEMIC AFFAIRS, INDIANA COMMISSION FOR HIGHER EDUCATION

Mr. SAUER. Chairwoman Foxx, Ranking Member Hinojosa, and members of the subcommittee, thank you for this opportunity to testify. I serve as chief academic officer of Indiana's coordinating board for higher education, but I am also one of the leaders of a multi-state collaborative focused on maximizing ways servicemembers can translate their military training and experience into college credit, and it is in this capacity that I offer some remarks.

The Multi-State Collaborative on Military Credit began 18 months ago with a meeting of representatives from Illinois, Indiana, and Ohio. Since then, four other states—Kentucky, Michigan, Minnesota, and Missouri—have been added.

The collaborative embraces several key premises.

First, states, if they work together, can better meet the needs of returning servicemembers. And second, the federal government needs to work in close partnership with states to make progress in this area. States play an important role in identifying and publicizing institutional best practices and can coordinate statewide efforts to adopt these best practices.

The third premise is that we support the recommendations on military credit that have been developed by the American Council on Education under contract with the Department of Defense. ACE has a long history of making these recommendations and we believe the approach they use of making site visits with faculty to military bases has integrity. Our interest is in having the recommendations used more and in developing feedback mechanisms for further enhancements.

To that end, the collaborative urges ACE to reveal more of the information that is garnered from these site visits, more importantly—most importantly—the specific competencies and skills or learning outcomes acquired through the military training so that institutions can better award credit for the right course. This will help to ensure that veterans are earning credit for courses that will count toward the degree program they are pursuing and will permit them to complete their studies within the time limit allowed by the Post-9/11 G.I. Bill.

The collaborative would also like to have the complete data file of all military occupational specialties and ratings and the corresponding ACE credit recommendations to be made public for inclusion in widely-used software that is designed to facilitate transfer of credit among institutions. At least 17 states, including Indiana and four other states in the collaborative, as well as hundreds of individual institutions and campuses, license software that makes it easier for institutions to determine and store transfer equivalencies: "This course at this institution is equivalent to that course at that institution."

The contract that the Department of Defense has with ACE does not allow the vendor I am referring to, CollegeSource in this case,

as well as other vendors from freely downloading that file and making it available for institutions to access. This makes it more difficult for institutions to make full use of the ACE credit recommendations and it prevents metrics from being developed that would give the Department of Defense, ACE, and other stakeholders data on how the ACE credit recommendations are actually being used by institutions.

I would also add that as a result of the collaborative bringing this problem to the attention of the Department of Defense, our contact at the department is now working on this issue.

The Multi-State Collaborative is also interested in identifying examples of how institutions are translating military credit and experience into substantial progress toward earning a degree or acquiring a license. In Illinois, community colleges have developed a transition program that allows Basic Medical Corpsmen to take a specially-designed course, completion of which qualifies them to become a licensed practical nurse. In Indiana, Ivy Tech Community College has identified relevant military training and experience that can equate to about half of the major coursework needed to complete associate degrees in criminal justice and construction technology.

These examples benefit all parties. They save money for both the veteran and the taxpayer; they help ease the transition from military to civilian life; and they also contribute toward a better-educated workforce.

Members of the Multi-State Collaborative have more recently identified two other areas that need attention: data and communications. In the interest of time I will simply say that we need to collect better data on veterans enrolled in our colleges, and we need to develop better communication tools to let veterans know about what opportunities are available to them.

I am grateful to the members of the subcommittee for convening this important hearing, and thank you for the opportunity to contribute testimony.

[The statement of Mr. Sauer follows:]



INDIANA COMMISSION
HIGHER EDUCATION

September 11, 2013

**TESTIMONY BEFORE THE
SUBCOMMITTEE ON HIGHER EDUCATION and WORKFORCE TRAINING
Offered by Ken Sauer, Ph.D.
Senior Associate Commissioner for Research and Academic Affairs
Indiana Commission for Higher Education**

Chairwoman Foxx, Ranking Member Hinojosa, and members of the subcommittee, thank you for the opportunity to testify. My name is Ken Sauer, and I serve as chief academic officer of Indiana's coordinating board for higher education. I am also part of the leadership team of a multi-state collaborative, currently involving seven states, that is focused on maximizing ways service members can translate their military training and experience into college credit, and it is in this capacity that I offer some remarks.

The Multi-State Collaborative on Military Credit began 18 months ago with a meeting in Indianapolis comprising representatives of three states: Illinois, Indiana, and Ohio. Since then, four other states – Kentucky, Michigan, Minnesota, and Missouri – have been added. Those active in the Collaborative communicate on a regular basis and they include representatives from state higher education agencies, university system offices, and individual colleges and universities.

The Collaborative is founded on several key premises. First, states, especially state higher education agencies, need to work together in order to better meet the needs of returning service members and their families. A second corollary premise is that the federal government needs to work in close partnership with states to make progress in this area. States can play an important role in identifying and publicizing a wider range and variety of institutional best practices and can coordinate statewide efforts with essential stakeholders within the state to adopt these best practices.

A third key premise of the Collaborative is that we very much support the recommendations on military credit that have been developed by the American Council on Education (ACE) under contract with the Department of Defense. ACE has a long history of making these recommendations, and we believe the approach that is used to make the recommendations – including visits by a team of faculty to a military instillation and interviews with trainers and trainees – has integrity. Our interest is in having the recommendations used more, and to better effect, and in developing feedback mechanisms for further enhancements.

One recommendation to ACE is to reveal more of the information that is garnered from these site visits – most importantly, the specific competencies and skills, or learning outcomes, acquired through the military training – so that institutions would be better able to apply the credit for the right course. Institutions, especially large ones, may have several courses that are taught in a specific discipline, and one of those may be a much better fit with the ACE credit recommendation than the others. This will also help to ensure that veterans are earning credit for courses that will count toward the degree programs they are pursuing and will permit them to complete their studies within the thirty-six month time limit allowed by the post-9/11 G.I. Bill.

The Collaborative would also like the complete data file of all Military Occupational Specialties and ratings, and the corresponding ACE credit recommendations, to be made public for inclusion in widely used software that is designed to facilitate transfer of credit among institutions. At least 17 statewide university systems or states, including Indiana and three other states in the Collaborative, as well as hundreds of individual institutions and campuses, license software that makes it easier for institutions to determine and store transfer equivalencies, i.e. this course at this institution is equivalent to that course at that institution.

The contract that the Department of Defense has with ACE does not allow the vendor, CollegeSource, which all of these states and institutions use, from freely downloading that file and making it available for institutions to access. This needlessly makes much more difficult for institutions to make full use of the ACE credit recommendations. Among other things, it also prevents metrics from being developed that would give the Department of Defense, ACE, and other stakeholders data on how the ACE credit recommendations are actually being used by institutions.

I also want to stress that any student or prospective student, including a servicemember or veteran, can access this transfer software for free, irrespective of whether your state, university system, or campus licenses the software. I would also add, that as a result of the Collaborative bringing this problem to the attention of the Department of Defense, our contact at the Department, who is very much on the side of changing the contract, is now working on this issue.

The Multi-State Collaborative is also in the process of developing and identifying good examples of how institutions are looking at degree and licensure requirements, and using the ACE credit recommendations, to allow veterans to translate their training and experience into substantial progress toward earning a degree or acquiring a license. In Illinois, community colleges have developed a transition program that allows Basic Medical Corpsman to take a specially designed course, completion of which qualifies them to become a Licensed Practical Nurse. In Indiana, Ivy Tech Community College has identified relevant military training and experience that can equate to more than half of the major coursework needed to complete an associate degree in Criminal Justice, and just less than half of the major coursework required for a Construction Technology associate degree.

These examples benefit all parties. They save money for both the veteran and the taxpayer, they help ease the transition from military to civilian life, which can be especially difficult for veterans who have seen combat, and they also contribute toward a better educated workforce.

Members of the Multi-State Collaborative have more recently identified two other areas that need attention: data and communications. We need consensus on what data should be collected by institutions and states about veterans, to track how successful veterans are in completing their degrees. We believe there are ways in which the data reporting requirements of institutions can be eased if the federal government works in partnership with states in collecting data. State agencies like the Indiana Commission collect a lot of data, and some of the data that the federal government requests duplicates that. There is also a real need for better communication tools – including webinars and information available on web sites – that can help base education officers and veterans understand what options are available to them (the Minnesota State Colleges and Universities has a superb web site for veterans).

I am grateful to the members of the subcommittee for convening this important discussion and thank you for the opportunity to contribute testimony.

★ Multi-State Collaborative on Military Credit ★

ABOUT THE COLLABORATIVE

The Multi-State Collaborative on Military Credit has representation from Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri and Ohio. State higher education executive officers (SHEEO) agencies, university systems, campuses, and other organizations from each state are involved, such as the Illinois Dept. of Veterans Affairs and the Illinois *u.select* project (an interstate transfer hub software), the Illinois Community College Board and the Midwestern Higher Education Compact (MHEC).

The Multi-state Collaborative on Military Credit is prepared to develop and deliver innovative solutions when it comes to higher education and student service members and veterans as well as providing valuable, and much needed, data about this group.

GOVERNANCE

The overall direction and implementation of the collaborative is carried out by a Leadership Team consisting of representatives from initial founding states and organizations. However, this grass roots effort is inclusive in nature and as the collaborative evolves, additional members to the Leadership Team may be added.

GOALS OF THE COLLABORATIVE

- Maximize ways for student service members, veterans, and their family members to transition to college
- Create models for consistently, transparently, and effectively awarding credit for military training and experience that can be scaled regionally and nationally
- Establish strong partnerships with institutions and organizations for the purpose of promoting our shared interests
- Generate a system for documenting and tracking academic progression at the state level

SHARED PARAMETERS

- We believe there is strength and efficiency in collaboration. This allows us to benefit from the lessons learned by our partners, create synergies, and 'speak' with a larger voice. Although originating in the midwest, we welcome other SHEEO agencies and organizations that may not be included in the MHEC.
- Any approach we pursue needs to be comprehensive, i.e. it must involve community colleges, technical programs, and 4-year schools and include certifications and other types of non-diploma credentialing.
- Our work should include state and federal agencies, e.g. a states' department of veterans affairs, licensing boards.
- The strategies must be multi-pronged:
 - Encourage academic departments and institutions to learn from one another.
 - Build on work that already exists.
 - Include non-collegiate learning, such as various methods of prior learning assessments.

- The plan will respect the processes, roles, and conditions at local institutions and states, and recognize faculty as essential partners.

WORKGROUPS

In order to move the goals of the collaborative forward, we have established the following workgroups

- Articulation of Credit
 - Work with ACE to gain access to SLOs associated with the "team consensus sheets" from the review teams.
- Certification and Licensure
 - Determine how MOSs can or will translate directly into licenses and certifications or as milestones toward college degrees that lead to licensure.
- Technology
 - Work with DOD so that its contract with ACE can be modified to all MOSs and ACE credit recommendations to be incorporated into the CollegeSource product TES as index-level data, which would allow institutions to more easily create course equivalencies; TES would include hyperlinks to ACE, to allow more detailed data about the recommendations to be accessed by institutions as they create the course equivalencies.

Chairs and co-chairs of the workgroups report to the Leadership Team. Members of the workgroups are not limited to participate on just one initiative. They are welcome to join any and all they deem appropriate for their state and/or organization's needs.

PROJECTS

- Using technology for transfer and data collection
- Collaborating with the American Council on Education (ACE) to refine information to ensure that information presented to higher education personnel is transparent and consistent in the granting of college credit to student service members and veterans
- Translating military occupation specialties, if applicable, directly into licenses or certifications or as milestones toward college degrees that lead to civilian licenses and certifications
- Developing and nurturing communication to and between vital stakeholders to better assist student service members and veterans

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Chairwoman FOXX. Thank you very much.

And I think everybody here knows this, but just in case, I will say all the testimony you have submitted will be put in the record, and some of you have very extensive testimony and very excellent testimony.

I would now like to recognize the chairman of the full committee for his—give him an opportunity to ask questions.

Chairman Kline?

Mr. KLINE. Thank you, Madam Chair, for the hearing.

Thanks to the witnesses for coming. Excellent testimony. You can see your dedication to helping our men and women in uniform—those in uniform now and those who have been and those who will be.

A special thank you to Ms. Rhinehardt for bringing Tyler. She is sitting back there taking notes. It is an example for all my colleagues up here. I hope you are paying attention.

I think we share a common goal up here. This is one of those hearings where I think every single person sitting up here and every person in the room wants to do the very best we can to help our veterans, our men and women in uniform, get the education they need to enhance their opportunities for a good job, better life, all those things that a good education brings.

I am going to yield the remainder of my time to one of those veterans, my friend and colleague, medical doctor, because I know this is an issue of great personal importance to him.

Dr. Heck?

Mr. HECK. Thank you, Mr. Chairman.

Thank you all for taking the time to be here to address this important issue. And we heard in some of the opening statements about, for instance, the 90/10 rule and the concerns that some colleges have about potentially including military assistance—educational assistance programs within the 90/10 rule.

I have traveled and visited many of the proprietary schools within my district. It certainly is an area of concern for them, and one of the things that they consistently bring up is how this 90/10 rule actually results in them having to artificially inflate their tuition costs in order to maintain that 90/10 ratio, and they have said that without that 90/10 ratio they could probably lower tuition across the board for everyone.

With that as an example, and realizing the need for reasonable regulation to protect the students as well as the taxpayer, what are some examples of the regulations that you have faced that have either helped you in delivering services to veterans or hindered you in delivering services to veteran students?

Let's start with you, Mrs. Rhinehardt?

Mrs. RHINEHARDT. I would say it is the preponderance of regulation that has been difficult. You know, with an influx of so many servicemembers, both active duty and veterans, coming into the UNC system, you know, we already—we were down our path and we had a well laid out plan, and it—over the course of several years it felt like the rules kept changing and that was difficult, particularly for offices on campus that aren't used to dealing with the rules and regulations of the Department of Defense and the

V.A. So I—my answer would be that it is the totality and not any one rule or regulation in specific.

Mr. HECK. Dr. Kirk?

Mr. KIRK. I would concur. We have been trying to inventory all of the regulations, and I know, and from all the offices of government, from Internal Revenue to Veterans to DOE, and we are well beyond 176 in our inventory and they seem to just keep growing. So it is the preponderance.

Mr. HECK. Dr. Kitchner?

Mr. KITCHNER. Thank you. In addition to concurring in general with my colleagues, I would offer one different perspective, and that is that the regulations themselves are often helpful in providing institutions with benchmarks and opportunities to gauge the effectiveness and how well they are meeting the needs that have been identified by various agencies.

So in that regard I can say that there is a benefit, a value added, to having a body of appropriate regulations, and it really becomes incumbent upon Congress and the various agencies that work with veterans to be conscious of the fact that there is such a thing as too much of a good thing.

Mr. HECK. Thanks.

Dr. Sauer?

Mr. SAUER. Yes, I would concur with the remarks made previously but I would add one item that specifically relates to online education, and Dr. Kitchner had mentioned this. There is a new way of looking at interstate regulation of online education—the State Authorization Reciprocity Agreement, or SARA, as it is known by its acronym. And I think this holds great promise for striking a balance between ensuring that there is some basic adequate oversight of online education, which would perhaps keep the bad actors out, but also give the good actors—and most of our colleges and universities do provide very strong online education—it would free them from some of the regulations and costs that are currently associated with delivering online education.

Mr. HECK. Great. Thank you.

Thank you all very much.

I yield back, Madam Chair.

Chairwoman FOXX. Thank you.

Mr. Hinojosa, you are recognized for 5 minutes.

Mr. HINOJOSA. Thank you.

I want to thank the panel because your statements are very informative and something that is greatly needed as we are trying to re-deploy and bring back the active soldiers from Afghanistan by the end of 2014. So I think that members of Congress are all anxious to learn about this information that is working and how they can use them in their respective congressional districts.

So I am going to ask my first question of Ken Sauer.

Dr. Sauer, licensure is typically done through state boards. Is there any way to make progress on getting veterans licensed other than by state basis?

Mr. SAUER. Yes, Representative Hinojosa, I believe there is. I think it is important—as you correctly point out, most of the licenses are state-based in individual states and individual boards, and that is the way the licensure process is carried out. However,

and I do believe, and members of the Multi-State Collaborative believe, that we do have to work within our own states to try to make it easier for veterans to apply some of their training and experience toward obtaining a license, either directly or indirectly through a program of study that would prepare one to be a license.

But I think we can also work at the national level as well. Most state boards have associations, so we have an association of state boards of nursing, for example. And I think it is important to try to work at the national level as well, and I think if we attack the problem, if you will, from both a state level and from a national level I think we can make some progress on this issue.

Mr. HINOJOSA. Good.

Mr. Sauer, the last question to you is, can you give us a couple of recommendations on how we can get more states involved in the work of the collaborative?

Mr. SAUER. Well, the collaborative is happy to involve other states in its work. This is very much a grassroots effort. It started by several states that have a lot of contact with one another simply recognizing that we had a lot of common ground and common interest in trying to make it better for our servicemembers to make the transition to college.

It has grown very quickly, and really the only thing we ask of a state is that they actively participate in the work of the collaborative. We have three work groups that tackle different problems, and we simply ask that a state be active in at least one of those work groups and really contribute toward the work that is going on.

Mr. HINOJOSA. Would you be willing to receive some delegations from our congressional district to visit with you and talk about this?

Mr. SAUER. We would be delighted to.

Mr. HINOJOSA. Thank you.

My next question is to Mr. Kitchner.

In working with veterans, what services do they need, what do they desire that may be different than traditional students?

Mr. KITCHNER. Representative Hinojosa, you are asking what different services as an online student would they need, that would differ from on the ground?

Mr. HINOJOSA. Yes, because you all talked about veterans being different than the regular college students.

Mr. KITCHNER. Well, in many cases their needs are comparable. The difference between veteran students is they are typically working adults as opposed to immediate graduates of high school, so they have workload and family-load considerations that are factors. And in those cases where they are veterans who may suffer from PTSD or other military-related challenges, we have to accommodate the needs they might have in terms of their health—their emotional and physical health—and the online environment is a great leveler of the playing field to some extent, but it also offers its own challenges for those people, so we have to be sensitive to those challenges and accommodate them.

Mr. HINOJOSA. What in your system is helping veterans integrate back into civilian life?

Mr. KITCHNER. I am sorry. Would you repeat that?

Mr. HINOJOSA. Your system is very—is a successful system. Tell us how yours is helping veterans integrate back into civilian life.

Mr. KITCHNER. Well, I am not sure that I would say that is part of our core mission is to integrate them. We hope that as a result of their integration in a classroom with other students, both civilian and military, which is quite often the case, that they will find avenues for integration, but—

Mr. HINOJOSA. The reason for my question is that we are finding that jobs are sometimes difficult because we can't seem to match educated persons or trained individuals that can fill allied health and information technology, which are two sectors where we do have jobs to fill. So we have got to integrate them into the civilian life and explain to them that if they could just take some additional hours and add it to the training they received in the military they would probably be hired.

Mr. KITCHNER. That is an excellent point, and I think the best that we can—the best that we can offer—is a wide variety of programs that are career-related and vocationally relevant to their interest and backgrounds, and that is why we have as many programs as we do, many of them sort of on demand because veterans have asked for them or military students have asked for them.

Mr. HINOJOSA. Thank you.

I yield back.

Mr. KITCHNER. Thank you.

Chairwoman FOXX. Thank you very much.

Dr. Heck, you are now recognized.

Mr. HECK. Thank you, Madam Chair.

I would ask, you know, there certainly are several different programs currently available for both active duty and veteran members in trying to seek higher education, whether it is the Montgomery G.I. Bill, the Selected Reserve Montgomery G.I. Bill, the Reserves Educational Assistance Program, Post-Vietnam Education Assist, Post-9/11—I mean, there is a whole host of possibilities for veterans and active duty members to take advantage of, including tuition assistance. What are the potential advantages and disadvantages of streamlining and simplifying the different benefits and programs that currently serve servicemembers and veterans pursuing higher education?

Mrs. Rhinehardt?

Mrs. RHINEHARDT. I am not sure I am qualified to answer that question, but I do think that you raise an important point that there are so many different ways that a servicemember or a veteran can financially pay for their college experience, that one of the things that we are doing as a UNC system is we are building the Military Educational Positioning System Portal so that—essentially it has a decision tree so the veteran can enter in personal information about whether they have invested in the Montgomery G.I. Bill, whether they have the Post-9/11 G.I. Bill, and at the end it spits out, you know, “You are most likely to want to use the following as your benefit first;” because, you know, there is a chemistry between the programs and you can be on the losing end if you are not very well aware of how each of those programs work together.

Mr. HECK. Well, I applaud you and the university system for developing that, because I know several members that as they go

through their transition assistance program as they out-process and they watch their two-day slideshow talking about some of the potential benefits that they don't quite understand what is truly out there and available to them and would best meet their needs, so congratulations.

Dr. Kirk, anything?

Mr. KIRK. Yes. We have actually increased the number of veterans' counselors from 20 to 52 over the last several years and, as I mentioned in my testimony, have done a tremendous amount of training. Simplification will be better for the veterans. Sorting through all that is very difficult for them, and I think can be a barrier.

And the other thing is stabilizing the requirements. We are constantly training our people because things are constantly changing, and the vet can get caught in that.

Several summers ago we actually paid the rent for a number of veterans because they hadn't enrolled full time in summer school and the rules had changed and somehow they missed it and they couldn't get their housing allowances because they weren't enrolled full time. We stepped up and paid their rent so they didn't get evicted, but those kinds of changes can throw them way off course.

Mr. HECK. Dr. Kitchner?

Mr. KITCHNER. Dr. Kirk is exactly on target in at least two respects. Number one, the availability of capable, knowledgeable advising staff is absolutely critical—people that can help navigate the myriad of rules and regulations through the Department of Defense or the Veterans Administration both, coupled with some support for that process that you articulated, where individuals are about to be discharged and they go through that one-or two-day orientation to the civilian life that is somewhat out of context.

And I think what we need to be thinking about is implementing a transition that involves the colleges, universities in that process and bring some of the resources that we are striving to develop—bring those resources to bear in the context of those pre-discharge events and counseling. And I think it could smooth that transition remarkably.

Mr. HECK. Great. Thank you. Very helpful.

Dr. Sauer?

Mr. SAUER. Yes. Just picking up on the point about academic advising, which I very much agree with, I think we need to work on making the academic advising much more consistent to try to develop tools that can be widely used so that veterans have access to the same information and that they are getting it in an easily understandable form.

Dr. Kitchner also mentioned the time period just—involving the discharge. I think it would be helpful if we could work with base education officers prior to that time to try to get veterans, as they begin to think about the transition, to think about their opportunity to have information to evaluate much before that week in which they are making the transition itself.

Mr. HECK. Great.

Again, thank you all very much for being here.

And thank you.

Mr. KIRK. May I add, Congressman—

Mr. HECK. I am out of time but I will yield to the chair if—yield back.

Chairwoman FOXX. You yield back. Okay.

Mr. Loeb sack?

Mr. LOEBSACK. Thank you, Madam Chair.

It is great to have all you folks here today. I really appreciate what you are trying to do for our veterans. I think it is maybe particularly appropriate that we are having this discussion today on 9/11, the anniversary of the terrible terrorist attacks on our country in 2001.

I am also on the Armed Services Committee. I am also a military parent. I have two kids I saw last night, my stepson and his wife, who are in the Marine Corps; they have been deployed. They are a little more fortunate in the sense that, I mean, they are at the Command and Staff school at the moment at Quantico, so they are kind of with folks, you know, who have had some similar experiences. They are not at a traditional university or a traditional college where they have to go and try to fit in and have differential experiences and that kind of thing. Although, I taught, myself, at a small college in Iowa for 24 years prior to 2006 and I did my best as a professor to try to deal with folks who were coming back from these wars, but it was not always easy, not having served in the military myself and had that experience.

So I understand and I really, really appreciate all the things that folks are trying to do to get these folks back—get them on the ground, keep them as healthy as possible, especially psychologically for a lot of those folks who come back. I think it is really critical.

The University of Iowa has a wonderful program—I represent the University of Iowa in my district and I was just at an event at the Military and Veteran Student Services Center there. They are doing a great job. I know a lot of universities, lot of colleges, lot of folks are trying to do the best that they can to make sure that these folks can make this transition.

I do want to just make sure, if I could—I want to request from those who have concerns about regulations but were either unable or whatever to specify specific regulations that are concerns—I understand the totality argument, but for the record, if folks could submit to me specific regulations that get in the way, that you have concerns about, that sort of thing, I would like you to do that in writing if you could, please. I would appreciate that.

Beyond that, I do want to talk—ask about the credentialing process.

And in particular, Dr. Sauer, you mentioned this. I mean, we have the federal level and we have the state level. Lot of different states have—do this in a different sort of way. Do you think there is any role to play on the part of the Department of Defense in all of this to coordinate more closely with the states when that transition process occurs?

Mr. SAUER. Yes, I certainly do. And in fact, there is an academic credentialing task force which has just been formed and we were pleased that when this task force was being put together we had a representative of the Department of Defense who found out about the work of the Multi-State Collaborative and participated via conference call in one of our meetings—

Mr. LOEBSACK. By the way, Iowa is not part of that collaborative. Is that correct?

Mr. SAUER. That is correct.

Mr. LOEBSACK. Unfortunately, but we will look into that. But go ahead.

Mr. SAUER. So I think we do now have an opportunity to work with the Department of Defense on some of these issues. But the short answer is yes, I certainly believe that a real partnership between the states and the federal government—and I would say, actually, not just the Department of Defense, but I would include also the Department of Education and the Veterans Administration. And in fact, all three of those federal agencies that I mentioned are part of this academic credentialing task force, so there—it is really a joint effort on the part of those three departments.

So I think if we could have a more, a closer relationship between states, and in our case the Multi-State Collaborative and federal agencies that are involved in this, I think we could make some progress.

Mr. LOEBSACK. Okay.

Mrs. RHINEHARDT. Sir, may I add a follow up?

Mr. LOEBSACK. Please, go ahead.

Mrs. RHINEHARDT. I don't want folks to leave thinking that there is no effort going on between the DOD and states because, you know, we are home to a very large Marine Corps contingent—

Mr. LOEBSACK. I am aware of that.

Mrs. RHINEHARDT [continuing]. That we are very proud of. And the Marine Corps actually is—you know, has designed a very elaborate educational process where the day that you enlist you start your educational plan. So we work closely with Marine Corps Base Camp Lejeune and their base education office, so those Marines—the new Marines when they come in, they are already starting their educational pathway.

We do that in North Carolina, and we are proud of the relationship that we have with them.

Mr. LOEBSACK. Thank you.

Thanks to all of you.

And thank you, Madam Chair.

Chairwoman FOXX. Mr. Loeb sack.
Congresswoman?

Mrs. BROOKS. Thank you, Madam Chair, and thank you for convening this very important hearing. And I must share that I have worked with Dr. Sauer because I was at Ivy Tech Community College as some of these, prior to coming to Congress, as some of these initiatives began.

And I would like to continue on that discussion and I am glad that you, Mrs. Rhinehardt, talked about what North Carolina is doing and I am curious to hear from each of you to build on what is happening in Indiana and with the other states.

What are our colleges and universities doing with respect to prior learning assessments and ensuring that we take the skills and the training and—the incredible skills and training that our men and women receive in the military and give them either credit or go through a prior learning assessment by our faculty and staff to give them credit? What is happening in your institutions, particularly

if we don't have yet, it sounds like, a completely clear path from the Defense Department to transfer through either a certification process directly to your institutions?

And if you would like to just expand, and then I would like to hear from everyone else.

Mrs. RHINEHARDT. Absolutely. I would like to reiterate that the ACE guide is a recommendation only and our faculty always reserve the right to look under the hood of that military learning that the servicemember received when they were in service, and we have done that.

Let's take, for example, you know, we are home to the U.S. Army Special Operations Command, where they train all of the Special Operations medics. These folks are probably more skilled in medicine than most allied health professionals in the civilian world.

And so our faculty at UNC Chapel Hill who work in emergency medicine and at the Jaycee Burn Center started a dialogue with them about these Special Forces medics instructors coming up and doing rotations with the faculty at UNC Chapel Hill. That led to a discussion about, "Hey, I would like to come down and see your curriculum." It was clear to them, to the faculty, that the folks are—these Special Operations medics are, you know, a quarter of the way down the road toward a P.A. degree.

So UNC Chapel Hill didn't have a physician's assistant's program. They are in the process of establishing one, after a fight with the nursing program. But we are establishing a P.A. program because the faculty recognized the unparalleled military learning that these folks received, and so they will receive credit when they come in and hopefully we are going to be able to transition some of the most amazing medical professionals into the rural parts of our state that we need more emergency medicine professionals in and counties that don't even have an emergency room doctor, that—

Mrs. BROOKS. Well, and thank you. I am glad that they have acknowledged that. I am curious, though, what will it take to move us further rather than program by program, you know, a faculty member or a program—what can we do to have the much stronger collaboration between the Defense Department and our colleges and universities so it is much more seamless rather than what sounds to be a bit more happenstance right now?

And maybe Dr. Kirk or others, I mean—and I appreciate and applaud what is happening, but yet it seems like it just is not systematic at this point and I think we are missing an opportunity, and I would like to find out what your ideas are about how we can fix that.

Mr. KIRK. We do accept all ACE credit for military training and experience and all of those credits. Took some doing many, many years ago to keep the faculty from wanting to do a second take on that, but we have crossed that bridge and accept that all.

We also do provide opportunities for prior learning assessment through the Council for Adult and Experiential Learning LearningCounts system, and we have a robust testing program, CLEP and others, that will speed the way to a degree. In fact, many of our military centers' classrooms serve as testing services—testing centers, and we monitor those tests. So we are trying to do all we know and adopt all the best practices to facilitate that.

Mrs. BROOKS. Thank you, doctor.

I am sorry. My time is expired.

I yield back.

Chairwoman FOXX. Ms. Bonamici?

Ms. BONAMICI. Thank you very much, Madam Chairwoman.

Thank you all for your testimony today. I agree with my colleagues who have pointed out how fitting it is that we are having this discussion on the anniversary of September 11th.

I really appreciate all your testimony.

Mrs. Rhinehardt, I especially wanted to acknowledge your testimony and appreciate everything that you are doing in North Carolina. I especially want to point out where you talk about the UNC Partnership for National Security, and I think you raised a very poignant point here where you say that, you know, the soldier that deploys may be our family member, friend or neighbor; the family that they leave behind is our family.

The education that the servicemember needs is crucial to the mission because the most important weapon that he or she has is not an assault rifle but their mind. And you talk about the ability to adapt to changing environments, use critical thinking skills, learn a foreign language, employ negotiation skills, apply conflict management lessons.

I think that is a good reminder of how important this education is to those who are serving our country. So I appreciate that very much, wanted to point that out and thank you for all you are doing in North Carolina.

I also wanted to thank my colleague, Congresswoman Brooks, for asking the question that I was going to ask about what we can do to make sure that our servicemembers get credit hours for their past service. And I have had people who have served come into my office and tell me about everything that they did and they are a little frustrated about why they can't get credit for that work that they have already done.

So I am going to explore a different issue and I wanted to talk a little bit about this 90/10 rule. Now, I wasn't here when it was implemented and passed. My assumption is that it was designed to ensure that students have some skin in the game and probably to crack down on some of the abuses.

But I wanted to talk about what appears to be sort of the unintended consequence that has resulted in what appears to be more of an incentive to recruit servicemembers to for-profit institutions, and I know that there are examples that were raised in the articles in the testimony—prior testimony of Ms. Petraeus in another committee. So I would like to talk a little bit about that.

I know that the Department of Defense has recently updated its rules against aggressive solicitation by educational institutions on military installations and finalized the Know Before You Owe shopping sheet for veterans. So will you please all address this issue of—none of us want the abuses that we have heard about—people being recruited who shouldn't be recruited, misinformation provided.

So can you talk about how we can make sure that those abuses are stopped? And if you would address whether you believe these—what appear to be fairly new rules -

are really going to do what they are designed to do and crack down on that overly aggressive solicitation of our veterans?

Thank you.

And, Dr. Kitchner, you look like you are ready to start.

Mr. KITCHNER. Well, I think I am probably the poster child for a 90/10 issue in the sense that I represent a for-profit university, and we are currently—our mix of students currently puts us well underneath that 90/10 issue. What we find disconcerting about the conversation around changing 90/10 and folding T.A. and V.A. into that formula is it could have the perverse effect of restricting the students from attending a university that they really want to attend and where there may be programs that are unique to their interests and they would be excluded from that.

There is also the potential for, you know, an increase in cost to offset 90/10. I am not sure I want to speculate on the degree of relevance of that. I think there is some relevance to it, but I wouldn't want to overstate it.

I think the more important question, really, is what effect changing it would have on redlining, in a sense—that institutions would stop serving the very populations that need our services the most, that need education the most. I would hate to see institutions that are doing a very good job being held back from fulfilling that mission simply because of a regulatory provision that had that perverse effect on restricting their ability to do that.

Ms. BONAMICI. And do you think that the new rules, the updated rules from the Department of Defense, are going to crack down on the overly aggressive solicitation?

Mr. KITCHNER. I honestly believe they have great potential for doing that. I think it is going to depend on how well the terms are defined and how well they are implemented but I—because I think some of the regulations and the rules that have been discussed talk about graduation rates and employment rates and those are terms that even the Department of Education has not yet fully established concrete definitions for them.

And so there is a lot of work yet to be done in terminology and measurement—appropriate statistics for measuring the concepts, but I think the Department of Defense is headed in the right direction, and I think that the MOUs and other initiatives that relate to making sure that veterans and military students in general are being well served have potential as long as they are not overlapping and contradictory.

Ms. BONAMICI. Thank you very much.

And I see my time is expired. Thank you, Madam Chairwoman. Chairwoman FOXX. Thank you.

I will now recognize myself for 5 minutes.

Mrs. Rhinehardt, in your written testimony and you briefly touched on the initiatives put forward by the Obama administration in your spoken testimony—in early August the president gave a speech outlining eight keys to success for higher education institutions to follow as they serve servicemembers and veterans. When this initiative was unveiled, the president noted 250 institutions had already agreed to push these efforts on campus.

Was the UNC system asked to join the Eight Keys to Success effort? Do you know the criteria that the Department of Education used to recruit colleges in this effort?

Mrs. RHINEHARDT. No, we were not asked. I learned about it—a colleague of mine forwarded a press release to my e-mail and I was—you know, the secretary of the V.A. had just been to UNC system and commented that we were the most coordinated system of higher education in the country that he had ever seen, so you can imagine our disappointment that we weren't asked because we are very—we feel proud of what we are doing and want to communicate to all veterans that we support them.

Chairwoman FOXX. Thank you very much.

Now I would like to ask all of the witnesses—and, Dr. Kitchner, perhaps I will start with you since you have gotten left out a couple of times and we will try to get you and Dr. Sauer in and go the other way.

In your experience in educating the student veteran population, what are two best practices done at your institution that you think could be adapted to other universities, and have you shared these best practices with other colleges and universities?

Mr. KITCHNER. I will take my cue and respond. One of the things that I think is absolutely essential is to prepare our faculty to work with veteran students, understanding that they come to the classroom with some special challenges and in all likelihood have life situations and experiences that differ from your traditional college-age student. So I think we need to make sure that faculty are oriented and prepared to address that population effectively and to make accommodations for their circumstances.

And it happens that we have a retired colonel on our faculty who is a—who teaches a seminar on preparing faculty to teach veterans and military students, and he teaches that seminar for faculty all over the country and it is a very successful one. I think that is a very important part of it.

Chairwoman FOXX. Okay. A second one very quickly, or do you want to stop with that one?

Mr. KITCHNER. I will yield to my colleagues.

Chairwoman FOXX. Okay.

Dr. Sauer?

Mr. SAUER. Well, in the spirit of representing a multi-state collaborative, I am going to point to—

Chairwoman FOXX. Sure.

Mr. SAUER [continuing]. One of our members states, Minnesota, that I haven't mentioned before. Minnesota has developed a really terrific website and it is very veteran-friendly and provides a lot of information, and I think communication and academic advising is so critical. I think it is really important to pay attention to this area, and the Minnesota State Colleges and Universities, in particular, have developed this website.

This is a variation of that, but it is a second—you called for two—you asked for two practices, and I will again point to the Minnesota State Colleges and Universities. They really have made very good use of the data file of the military occupational specialties and the ACE credit recommendations. And it was unfortunate that for reasons that I am not quite sure about the access to that was cut

off through the Department of Defense, and this is why I mention the need to try to work on the contract to make that information available.

Chairwoman FOXX. Dr. Kirk?

Mr. KIRK. Beyond training faculty, the staff advisors, and community, law enforcement, recognizing post-traumatic stress, teachers—because the children of veterans, certainly those that went through multiple deployments, exhibit many of the characteristics of foster children, and recognizing and dealing with that. And then our mentorship program—we have many faculty and staff who are themselves veterans, and having them, whether they are in administrative technology positions outside and away from students, mentoring student vets has been very, very important to them.

Chairwoman FOXX. Thank you.

Mrs. Rhinehardt?

Mrs. RHINEHARDT. Thank you, Dr. Foxx.

I would say that the one-stop shop concept is very important. Folks want to go to one place for information with clearly articulated steps for each process that they need. And that could be virtual, that could be a physical location on campus. That is the most important thing that we can do.

I also think it is very important for leadership of a college or university to really signal to the rest of the campus how important this population is, so I think leadership from the top—that commitment from the president, the commitment from the chancellor—makes a huge difference in how that campus responds, because from every faculty member I have ever talked to who have had these students in their classrooms, they say that by far these students make a huge difference in the conversations that occur—they add value, and frankly, they are some of our very best students.

Chairwoman FOXX. Thank you all very much. Thank you again, for the distinguished panel, for taking your time today.

Mr. Hinojosa, do you have closing remarks?

Mr. HINOJOSA. Thank you, Madam Chair.

I would like to thank you all—each and every one of the panelists for sharing your insights and expertise on these very important issues that we discussed today. This has been very informative and will be very helpful to all members of Congress.

As this committee moves forward with the reauthorization of the Higher Education Act I look forward to working with my colleagues on this committee to support higher education opportunities for our nation's servicemembers and veterans. I believe that this committee must ensure that veterans and servicemembers are protected from predatory practices and can fully benefit from federal higher education programs.

I thank you.

Chairwoman FOXX. Thank you, Mr. Hinojosa.

I wanted to recognize one other person who is here with me today, and that is Jason Harvey, who is doing an internship in my office. Jason is a Marine veteran and took advantage of the programs we have been talking about here today, got his degree from George Washington, and is interested in the public policy arena. And we are absolutely delighted to have him with us.

I want to again thank all of you all for being here. We had actually a hearing yesterday on research and how best to use research in application in education, and I said that I felt like it was *deja vu* all over again because these conversations have been going on for a long time.

As someone who used to be full time in the education arena, I think about the things that I was involved with when I was there. I actually set up a transfer, a program at Appalachian State University when I was there, to ease the transition for transfer students coming to Appalachian. We had always had a very vibrant transfer population and we were doing everything that we could to make it possible for the students to get the credit that they needed.

So this issue about transfer of credit has gone on, I guess, as long as we have had higher education. It boils down to the issue of academic freedom and faculty and departments being very jealous of their programs and wanting to make sure of the integrity of the programs that their graduates have.

So it isn't something that has just recently cropped up; it is out there and has been out there for a long time. And I say, you know, it is—Ms. Bonamici asked the question, “How do we guarantee that more of this is done?” Other people have gone at that issue.

And it is a tough one, and I don't think it is where the federal government should be involved, and I think the higher ed community would rise up in arms if the—if we do. But I think what is being done to honor the experiences that are gained through the military is very important.

And, Mrs. Rhinehardt, I really am very proud of the University of North Carolina system and my alma mater for all that you are doing there and for the leadership that you are providing. And we know that you understand about working with the military when you say Camp Lejeune. That got my attention because most people do not say that and the Marines know that that is the appropriate term to use.

But I think progress is being made and it is obvious, again, from the things that you are saying that progress is being made to help our veterans and help our active duty military. And I appreciate all that you all are doing and I just hope that the good practices that are being utilized in your institutions and by other institutions are going to be spread out and that we do honor these people in an appropriate way.

And, as I said, as we work to reauthorize the higher education legislation next year we will be keeping your testimony in mind. And as other people have said, we all have the same commitment—all of us here, whatever our party is, and most of the people in this country—to honor our veterans and our military people.

So, there being no further business, the subcommittee stands adjourned.

[Questions submitted for the record and their responses follow:]

U.S. CONGRESS,

Washington, DC, November 6, 2013.

Dr. ARTHUR F. KIRK, JR., *President,*
Saint Leo University, Office of the President—MC2187, P.O. Box 6665, Saint Leo, FL
 33574-6665.

DEAR DR. KIRK: Thank you for testifying before the Subcommittee on Higher Education and Workforce Training at the hearing entitled, “Keeping College Within

Reach: Supporting Higher Education Opportunities for America's Servicemembers and Veterans," on Wednesday, September 11, 2013. I appreciate your participation.

Enclosed are additional questions submitted by members of the subcommittee after the hearing. Please provide written responses no later than November 22, 2013 for inclusion in the final hearing record. Responses should be sent to Amy Jones or Emily Slack of the committee staff who can be contacted at (202) 225-6558.

Thank you again for your important contribution to the work of the committee.

Sincerely,

VIRGINIA FOXX, *Chairwoman,*
Subcommittee on Higher Education and Workforce Training.

CHAIRWOMAN VIRGINIA FOXX (R-NC)

In your written testimony, you mention that Saint Leo provides academic credit for the prior learning experiences of student veterans. Could you provide us a few examples where that has taken place? Also, is this benefit provided for just student veterans or all students?

REPRESENTATIVE DAVE LOEBSACK (D-IA)

In your view, what are the specific regulations that institutions of higher education must comply with pertaining to veterans and servicemembers that are overly burdensome?

Dr. Kirk's Response to Questions Submitted for the Record

In your written testimony, you mention that Saint Leo provides academic credit for the prior learning experiences of student veterans. Could you provide us a few examples where that has taken place? Also, is this benefit provided for just student veterans or all students?

This benefit is provided to all students, but through the American Council of Education (ACE) program of evaluating military training and assigning, where appropriate, course credit equivalencies, active-duty military and veterans generally can earn more credits, more easily. The university uses LearningCounts to help students develop substantive portfolios of prior, non-academic learning other than ACE evaluated training and then assess the amount of credit to be awarded. We, of course, also encourage students to avail themselves of CLEP, DANTES and other testing opportunities to earn credits. We operate "testing centers" at many of our locations for any active-duty military or veteran interested in earning credits this way regardless of what college they are attending or intend to enroll in.

In your view, what are the specific regulations that institutions of higher education must comply with pertaining to veterans and servicemembers that are overly burdensome?

The VA requires schools to report graduation data when the VA works with the National Student Loan Clearinghouse and has the graduation information already. This is a duplication of efforts.

The net payer regulation put into effect in 2011 put an additional strain on Florida certifying officials who have to reduce for FRAG (The Florida Resident Access Grant). This has caused many problems with overpayments and unhappy students.

The current Post 9/11 GI Bill regulation regarding (withdrawals) is counterintuitive. A student who is failing a class is typically advised by his/her advisor to withdraw minimizing the impact of their GPA. Unfortunately, for student veterans the VA will only cover the cost of a repeated course if he/she received an "F".

The proactive student is penalized and is then required to pay out-of-pocket for the repeated course. Although, this may not be an institutional burden, it does have larger implications such as GPA, retention, and employment. However, the VA will allow veterans to fail a class multiple times and continue to pay 100% for the class. This hurts the student's progress to their degree and costs the VA extra.

Determining term certification eligibility of Active Duty students on Page 85 of the book defines "Tuition Assistance (TA) as a DoD program. Rules for this program vary by branch of service and can even vary between components within the branches * * * If a student receives education benefits from VA and receives TA benefits from the military, duplication of benefits may be an issue." Determining if there is an issue tends to fall on the school. Two pages of the Handbook attempt to define potential duplication issues. Compiling information from the student, branch unit, and VA on a case by case situation is definitely burdensome. (It involves crucial work hours, questioning students who often don't have a clue whether their funds are Federal or State-funded, and sometimes even education unit Edu-

cation Service Officers (ESO's) who are telling the military personnel they CAN use TA and Post 9/11 benefits together. While technically true, only Net Tuition can be reported to the VA (often resulting in a waste of the serviceperson's educational benefits).

U.S. CONGRESS,
Washington, DC, November 6, 2013.

Dr. RUSSELL S. KITCHNER, *Vice President,
Regulatory and Governmental Relations, American Public University System, 111 W.
Congress Street, Charles Town, WV 25414.*

DEAR DR. KITCHNER: Thank you for testifying before the Subcommittee on Higher Education and Workforce Training at the hearing entitled, "Keeping College Within Reach: Supporting Higher Education Opportunities for America's Servicemembers and Veterans," on Wednesday, September 11, 2013. I appreciate your participation.

Enclosed are additional questions submitted by members of the subcommittee after the hearing. Please provide written responses no later than November 22, 2013 for inclusion in the final hearing record. Responses should be sent to Amy Jones or Emily Slack of the committee staff who can be contacted at (202) 225-6558.

Thank you again for your important contribution to the work of the committee.

Sincerely,

VIRGINIA FOXX, *Chairwoman,
Subcommittee on Higher Education and Workforce Training.*

CHAIRWOMAN VIRGINIA FOXX (R-NC)

In your testimony, you've detailed the tremendous support and services that APUS provides to student veterans. Have you worked with other institutions to share these best practices or help other institutions develop their own set of veteran-friendly policies on campus?

REPRESENTATIVE DAVE LOEBSACK (D-IA)

In your view, what are the specific regulations that institutions of higher education must comply with pertaining to veterans and servicemembers that are overly burdensome?

Dr. Kitchner's Response to Questions Submitted for the Record

Please accept the following in response to your letter of November 6, 2013 in which you and Rep. Loeb sack sought additional information subsequent to the Subcommittee hearing on September 11, 2013. You stated your specific question as follows:

"In your testimony, you've detailed the tremendous support and services that APUS provides to student veterans. Have you worked with other institutions to share these best practices or help other institutions develop their own set of veteran-friendly policies on campus?"

Indeed, one of the key dimensions of our culture and values as an institution of higher education is to be a resource to other colleges and universities. To that end our staff makes it a point routinely and regularly to attend national conferences, and to actively engage with our educational colleagues. The following examples are a good indication of the degree of our engagement with the higher education community:

- DOD Worldwide Education Symposium
- The Council for College and Military Educators
- The Conference on Distance Learning Administration
- The Sloan Consortium's Conference on Distance Learning
- American Association of Collegiate Registrars and Admissions Officers

In addition to our attendance at these and other meetings and conferences, our faculty and staff have given countless presentations and served as panelists in the context of programs designed to help other institutions effectively respond to the personal and educational needs of their military students and veteran students, including the following:

- "Wounded Warriors: The New Transfer Students of America"—AACRAO Annual Meeting
- "So What Are You Gonna Give Me?: A Transfer Credit Award Comparison"—CCME Annual Meeting

- “Prior Learning Assessment: Balancing Academic Quality and Enrollment Goals”—Academic Impressions Webinar
- Presentation titled “Students with PTSD: Is Your Faculty Prepared?”—CCME
- “Organizational Structures for Military Transfer Students”—DoD Worldwide
- “So What Are You Gonna Give Me?: A Transfer Credit Award Comparison”—AACRAO Annual Meeting
- “Awarding Credit for Non-Traditional Education and Training”—AACRAO Annual Meeting Workshop
- “Awarding Credit for Non-Traditional Education and Training”—AACRAO Transfer Conference Workshop
- “Organizational Structures for Transfer Students”—AACRAO Annual meeting
- “Transfer 101”—AACRAO Annual Meeting
- “How to Better Serve Military Students”—Sloan Consortium
- APUS also hosted a VA Certifying Official’s Workshop in Spring 2013 for the colleges and universities located in the eastern region of West Virginia

In an effort to reach even wider audiences, our faculty and staff have published a number of articles, contributed to numerous publications and engage in a wide variety of social media related to educating servicemembers and veterans, such as:

- “Finding Success as a Returning Veteran or Military Student,” published as part of Pearson’s “Identity” series
- LinkedIn group titled “PTSD and Online Faculty.” Group contains almost 400 members from all over the world
- Although APUS is not a member of the Association of Public Sector Colleges and Universities (APSCU), the university was asked to serve on a Blue Ribbon Taskforce for Military and Veteran Education. The results of that task force was the publication of a comprehensive guidebook that established best practices and indicators of program integrity to which all colleges and universities in America could embrace and implement.

In addition to providing written testimony and serving as a witness at the Subcommittee hearing that is the focus of this letter, I was invited to testify on September 22, 2011 before the Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee of the Senate Committee on Homeland Security and Governmental Affairs on the topic of “Improving Educational Outcomes for Our Military and Veterans.”

APUS has a dedicated Veteran’s office, which supports the needs of Veterans working toward a degree within the university system. Some of the operational dimensions that APUS has established in the context of that office, and in support of military and veteran students generally include the following:

- Dedicated teams within the Enrollment Management department, Student Advising department, Career Services department, and Finance department to assist military and veterans with answers to questions specific to their culture and needs
- The Student Services office has developed and implemented programs to assist Veterans’ with resume writing, translating military jargon into civilian terminology, mock interview processes, and expectations for civilian employment
- Mandatory faculty orientation programs to aid in better understanding the military and veteran culture
- APUS also has a generous transfer credit policy which equates to more earned college credit for life experience
- APUS is the “largest online, Student Veteran’s Chapter in the Country,” recognized and stated by the parent Student Veterans of America organization

Finally, APUS has worked with the National Association of Veteran’s Program Administrations (NAVPA) to prove compliance with Executive Order 13607, and it was invited by the GAO to participate in discussions to help improve educational processes and academic support services for veteran students.

Representative Dave Loebsack (D-IA) asked the following question:

In your view, what are the specific regulations that institutions of higher education must comply with pertaining to veterans and servicemembers that are overly burdensome?

With regard to the notion of regulatory burden, it should be noted at the outset that institutions that endeavor to serve military and veteran students should be prepared to accept reasonable standards of regulatory oversight. Given that the term “overly burdensome” is relative, some institutions are likely better equipped than others to accommodate such oversight, depending on mission, resources, and institutional culture. That qualifier aside, the challenges associated with the current regulatory environment are generally focused on the Departments of Defense and Veterans Administration. One example worth noting is the labor-intensive processes associated with compliance with various VA and State Approving Agency policies. For instance, one of the biggest inhibitors to the ability of institutional certifying

officials to correctly report enrollment information to the VA is that such officials do not have access to a students' VA data. There have been discussions in the past around the possibility of establishing stakeholder access rights to the eBenefits website, and access to that site would provide certifying officials with specific data regarding a student's benefit entitlements. It would also make the university's task of accurately reporting data to the VA much less complex if it could view specific, relevant data, such as the number of entitlements remaining, the percentage of eligibility, where and when other schools submitted benefits for the student, etc. Given the current state of affairs, it is not unusual for the university to submit a benefit report for a student to the VA, only to be subsequently informed by the VA that the student had exhausted eligibility, thus creating an unnecessary burden on the student to find other means to pay for his/her courses. If colleges and universities had a VA-regulated database, many of these issues could be resolved before the student is allowed to enroll in courses and later be expected to provide the necessary funds from alternative sources.

There is sound reason to believe that this issue and others could be addressed as a result of a re-structuring of the VAOnce system to allow for greater reporting from school officials. Frankly, the current system is very archaic and is primarily useful only as a data entry tool. Fairly commonplace technological upgrades to this system (ability to export student data, more robust reporting of student data, and the ability to accept a mass batch of VA enrollment certifications for students rather than input each enrollment for each term for each student) would greatly increase the efficiencies of both the VA Regional Office processors and school officials. Both cohorts are increasingly taking on roles that were previously the responsibilities of VA Regional Processing Office personnel.

The issue above notwithstanding, I would respectfully rephrase Rep. Loebsack's question to reflect the fact that regulations are not simply a function of burden, but also one of constraints. The President's call for increased access to higher education, and by clear implication, increased persistence to graduation without incurring undue financial burden, is a mandate that seems to be contradicted by Department of Education and Congressional initiatives that would have the effect of limiting access and increasing costs. Considering that recent budget cuts have eroded tuition assistance benefits for servicemembers, it is regrettable that in March, 2013, the Department of Defense added insult to injury by issuing Instruction 1322.19—"Voluntary Education Programs in the Overseas Area." Specifically, Enclosure 3, paragraph 4d of that policy stipulates that "Overseas Servicemembers who initiate postsecondary programs after the Servicemembers' arrival in the overseas duty location may not receive military TA for courses offered by non-approved program institutions overseas. This limitation will apply to the first postsecondary course requested and successfully completed by the Service member."

This provision, combined with language contained in the "Performance Work Statement (PWS) for Post-Secondary Programs of the U.S. Army, U.S. Air Force and U.S. Navy in Europe" issued by the Department of the Army, Europe on June 25, 2013 that prohibits non-contract schools from displaying educational materials in military education centers, limits choice for servicemembers and creates a virtual monopoly for a small handful of academic institutions. Specifically, the PWS states, "Non-contract academic institutions will not be permitted on installations, and their coursework and programs will not be marketed on the installations. Only the contracted academic institutions shall participate in education fairs on military installations."

The spirit and intent of the DoD Voluntary Education Program is to provide freedom of choice to servicemembers desiring to pursue their educational goals. Restrictive policies such as "Instruction 1322.19—"Voluntary Education Programs in the Overseas Area" have the real and regrettable effect of limiting educational opportunities for servicemembers by forcing them to enroll in programs provided by a selected group of institutions that do not necessarily offer the desired programs. It should be further stipulated that these recent policies implemented by DoD contradict long-standing policy as codified in DoD Instruction 1322.08, to wit:

It is DoD policy, under Section 2005 and 2007 of title 10 United States Code that:

4.1. Programs shall be established and maintained in the Department of Defense that provide servicemembers with educational opportunities that they may participate voluntarily during their off-duty time or at such other times as authorized by Military Services' policies.

4.2. Voluntary education programs shall provide educational opportunities comparable to those available to citizens outside the military, be available to all active duty personnel regardless of their duty location, and include courses and services provided by accredited postsecondary vocational and technical schools, colleges, and

universities. Programs may be provided as traditional classroom instruction or through distance education.

I have no doubt that the Department's intentions were honorable, but I am equally convinced that in issuing this policy, it did not take into full account the best interests of America's military personnel, nor does its policy support the President's national vision for an educated society. I believe that those of us who strive to provide educational opportunities, the various branches of government, and all military agencies can do a better job of acknowledging our indebtedness to servicemembers and veterans by respecting their ability to make sound decisions, and affording them the prerogative to attend the institutions of their choice.

As stated during my oral comments to your Committee, I consider it a distinct privilege to be asked to represent APUS in the context of that hearing, and I remain willing to provide additional testimony upon request.

U.S. CONGRESS,
Washington, DC, November 6, 2013.

Mrs. KIMREY W. RHINEHARDT, *Vice President,
Federal and Military Affairs, the University of North Carolina, 910 Raleigh Road,
Chapel Hill, NC 27514.*

DEAR MRS. RHINEHARDT: Thank you for testifying before the Subcommittee on Higher Education and Workforce Training at the hearing entitled, "Keeping College Within Reach: Supporting Higher Education Opportunities for America's Servicemembers and Veterans," on Wednesday, September 11, 2013. I appreciate your participation.

Enclosed are additional questions submitted by members of the subcommittee after the hearing. Please provide written responses no later than November 22, 2013 for inclusion in the final hearing record. Responses should be sent to Amy Jones or Emily Slack of the committee staff who can be contacted at (202) 225-6558.

Thank you again for your important contribution to the work of the committee.

Sincerely,

VIRGINIA FOXX, *Chairwoman,
Subcommittee on Higher Education and Workforce Training.*

CHAIRWOMAN VIRGINIA FOXX (R-NC)

In your written testimony, you talked about the university's transfer of credit policies. Can you elaborate more about that and how those policies help student veterans?

REPRESENTATIVE RICHARD HUDSON (R-NC)

1. Mrs. Rhinehardt, by my count you must contend with five separate federal agencies in trying to serve student veterans and military students: the Department of Education, the Department of Veterans Affairs, the Department of Defense, the Consumer Financial Protection Bureau and the Department of Justice. Is that correct or are there other agencies that have regulations with which you must also comply?

2. In the President's Executive Order he directs the Secretary of Education to collect information on the amount of funding received pursuant to the Post-9/11 GI Bill and the Tuition Assistance Program. I am aware that the department, through IPEDS, has started the process of requiring this information of institutions of higher education. Is this correct?

3. Part of the UNC SERVES initiative is to evaluate best practices for improving access, retention, and graduation of student veterans on campus. What are some of those best practices and do these differ from what the campuses are doing to improve outcomes for all students?

REPRESENTATIVE DAVE LOEBACK (D-IA)

In your view, what are the specific regulations that institutions of higher education must comply with pertaining to veterans and servicemembers that are overly burdensome?

Mrs. Rhinehardt's Response to Questions Submitted for the Record

CHAIRWOMAN FOXX

In your written testimony, you talked about the university's transfer credit policies. Can you elaborate more about that and how those policies help student veterans?

A: The University of North Carolina recognizes the value of the education, training, and experience that military students bring to the university. The university and its constituent campuses are working to establish a process by which this learning can be evaluated for possible course credit. Such learning may include, but will not be limited to, recruit training, military occupational specialty (MOS) training and education, Defense Language Institute foreign language and coursework exams, Community College of the Air Force (CCAF) coursework, College-Level Examination Program (CLEP), and DANTES Standardized Subject tests.

The American Council on Education (ACE) credit equivalency recommendations serve as the standard reference for recognizing the learning acquired through military service. Constituent campuses, however, reserve the right to evaluate military learning independent of ACE recommendations and evaluation.

HON. RICHARD HUDSON

By my count, you must contend with five separate federal agencies in trying to serve student veterans and military students: the Department of Education, the Department of Veterans Affairs, the Department of Defense, the Consumer Financial Protection Bureau, and the Department of Justice. Is that correct, or are there other agencies that have regulations with which you must also comply?

A: Yes, but actually within the DOD we are also required to work with each branch of service on addenda to the MOUs so that adds the US Army, Navy, Air Force and Marines in addition to the five agencies that you mentioned. Other than for the Department of Education, education is not the primary mission of the federal agencies. These other agencies don't always understand higher education or the diversity of schools and practices, so their regulatory efforts are typically misguided and problematic for schools.

In the President's Executive Order, he directs the Secretary of Education to collect information on the amount of funding received pursuant to the Post-9/11 GI Bill and the Tuition Assistance Program. I am aware that the department, through IPEDS, has started the process of requiring this information of institutions of higher education. Is this correct?

A: Yes, IPEDS will require that institutions of higher education report a number of new data points as it relates to veterans and active duty service members. We will report the number of undergraduate and graduate students receiving Post 9/11 benefits as well as the total dollar amount of tuition and fee benefits awarded to them through the institution. We will also be required to do this for active duty service members using tuition assistance. The "preview year" is the 2013-2014 academic year with the full requirement beginning in the 2014-2015 academic year. Additionally, IPEDS will collect additional data for the Institutional profile such as whether or not the institution participates in the Post-9/11 GI Bill and Yellow Ribbon Programs, offers credit for military training, provides a dedicated point of contact for support services for veterans, military service members, and their families, has a recognized student veteran organization, is a Member of Servicemembers Opportunity Colleges (SOC), as well as the URL for tuition policies specifically related to veterans and military service members.

Both the VA and the DOD should be able to provide this information to the Department of Education without requiring new data from institutions of higher education. It would be great if both agencies issued an annual demographic report that outlined this information. It would be beneficial to institutions and the taxpayer to have access to this data.

Part of the UNC SERVES initiative is to evaluate best practices for improving access, retention, and graduation of student veterans on campus. What are some of those best practices and do these differ from what the campuses are doing to improve outcomes for all students?

A: Although UNC system campuses seek to provide the utmost quality education and assistance necessary to improve outcomes for all students, the system recognizes that military and student veterans often have needs different to their civilian student counterparts. The UNC system seeks to fulfill those needs through the UNC SERVES initiative, which includes a multitude of best practices recommendations.

Some of the best practices recommendations include a Student Affairs Liaison specifically for military-affiliated students, military or veteran orientation sessions, operational tracking of active-duty military and veteran student populations, admissions counselors for military-affiliated students, classification of military students as transfer students, and a dedicated web presence for military-affiliated students.

Please see the full table (attached) for a more comprehensive list and as each item pertains to the individual campuses.

HON. DAVE LOEBSACK

In your view, what are the specific regulations that institutions of higher education must comply with pertaining to veterans and servicemembers that are overly burdensome?

A: Other than for the Department of Education, education is not the primary mission of the federal agencies. These agencies don't always understand higher education or the diversity of schools and practices, so their regulatory efforts are typically misguided and problematic for schools. The MOU is an example for DoD. The VA has numerous examples, but the debt offset problem comes to mind, as well as the fact that the VA does not have a way to communicate with institutions. Instead, it often sends notices by postal mail and sometimes one location will get notices for several campuses since the VA identifies institutions with a very different system than the Department of Education's OPEID number.

It would be helpful to have a webpage similar to IFAP that would post all the regulatory and sub-regulatory guidance for GI bill benefits, so institutions have one place to look. Finding letters outlining VA policies is difficult and burdensome.

U.S. CONGRESS,
Washington, DC, November 6, 2013.

Dr. KEN SAUER, *Senior Associate Commissioner for Research and Academic Affairs, Indiana Commission for Higher Education, 101 W. Ohio Street, Suite 550, Indianapolis, IN 46204-1984.*

DEAR DR. SAUER: Thank you for testifying before the Subcommittee on Higher Education and Workforce Training at the hearing entitled, "Keeping College Within Reach: Supporting Higher Education Opportunities for America's Servicemembers and Veterans," on Wednesday, September 11, 2013. I appreciate your participation.

Enclosed is an additional question submitted by a member of the subcommittee after the hearing. Please provide a written response no later than November 22, 2013 for inclusion in the final hearing record. Responses should be sent to Amy Jones or Emily Slack of the committee staff who can be contacted at (202) 225-6558.

Thank you again for your important contribution to the work of the committee.
Sincerely,

VIRGINIA FOXX, *Chairwoman,*
Subcommittee on Higher Education and Workforce Training.

REPRESENTATIVE DAVE LOEBSACK (D-IA)

In your view, what are the specific regulations that institutions of higher education must comply with pertaining to veterans and servicemembers that are overly burdensome?

[Response to questions submitted to Dr. Sauer follow:]

May 9, 2014.

Hon. VIRGINIA FOXX, *Chairwoman,*
Subcommittee on Higher Education and Workforce Training, U.S. House of Representatives, 2181 Rayburn House Office Building, Washington, DC 20515.

Dear Representative Foxx: I write about your request to respond to the following question posed by Representative Loeb sack:

"In your view, what are the specific regulations that institutions of higher education must comply with pertaining to veterans and servicemembers that are overly burdensome?"

To help craft my answer, I sent a request to the academic officers of all of our public two- and four-year institutions to solicit their reactions to Representative Loeb sack's question. The majority of our colleges and universities responded, and in a few cases, with considerable detail.

Most institutions identified problems that in one way or another focused on burdens associated with supplying detailed information about students to the Veterans Administration and on inefficiencies in accessing related information so benefit claims could be processed in a timely manner. Other concerns identified by the institutions included: the frequency with which the Department of Defense changed the requirements of the MOUs institutions sign with the Department; lack of consistency in definitions used by different federal agencies with respect to veterans; the requirement to upload extensive information about the institution, such as course

catalogs, class schedules, and tuition rate charts; and confusion in communicating to veterans the differences among various federal and state benefit programs.

In reflecting on the institutional responses, Indiana Commission colleagues and I have identified some potential ways for addressing the problems identified above. Though we offer these as conversation starters, we believe that each of the following is rooted in a sound idea that deserves further consideration:

1. Have the Veterans Affairs Certifying Official (VACO) at each institution be a certified user of the VA's VETRECS computer system, which would enable them to more efficiently access information needed to carry out their responsibilities;

2. Integrate the billing systems of the VA so that information about each veteran and each course they take only needs to be entered once by the VACO, rather than entering duplicate information for each benefit, for which the veteran is eligible. Not only would this reduce the possibility for data entry errors, but it would also enable better access to this information by VACOs at other institutions across the country, should the veteran transfer to another institution anywhere in the country;

3. Rather than having the VACOs tediously enter data on each course taken by each veteran—including course titles, grades, start dates, and end dates, as currently required by GoArmyEd, for example—have the VA accept this information through a college transcript, which could be transmitted electronically, ideally in a standardized format, via commercial vendors widely used by institutions and states; and

4. Consider modifying the contracts between the VA and the State Approving Agencies (SAAs), such that SAA Directors can play a more active role in educating servicemembers and their families about their eligibility for educational benefits.

We would be happy to provide additional information about the problems that our institutions have identified and constructive suggestions about potential ways these problems might be addressed.

Last September, I had the privilege of providing testimony before the Subcommittee on the Multi-State Collaborative on Military Credit. I am pleased to report that the Collaborative now has eleven member states and that a meeting of state representatives will be held on May 27–28. The gathering, which will be held in Indianapolis, will also include in-person representation from the Department of Defense, Veterans Administration, DANTES, Servicemembers Opportunity Colleges, Council of College and Military Educators, Council for Adult and Experiential Learning, CollegeSource, National Governors Association, Midwest Higher Education Compact, and State Higher Education Executive Officers. The Collaborative's commitment to better meeting the needs of our servicemembers and veterans remains firm and we pledge our best efforts to carry through on this commitment.

Thank you for the opportunity to provide testimony to the Subcommittee and to respond to Representative Loebsacks's question.

Sincerely,

KEN SAUER, PH.D.,
Senior Associate Commissioner and Chief Academic Officer.

[Whereupon, at 1:23 p.m., the subcommittee was adjourned.]

